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THE  
ANNUAL REGISTER,  
OR A VIEW OF THE  
HISTORY,  
POLITICS,  
AND  
LITERATURE,  
OF THE YEAR  
1826.



LONDON:

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TAKER; W. REYNOLDS; SIMPKIN AND MARSHALL; H. BUTTERWORTH;  
T. LAYCOCK; AND J. COLLINGWOOD.

# PREFACE

The first of the two parts of this book is devoted to a history of the world, the second to the history of the English people. The first part is divided into three parts, the first of which is devoted to the history of the world from the beginning of time to the present day. The second part is devoted to the history of the English people from the beginning of time to the present day. The third part is devoted to the history of the English people from the present day to the future. The first part is divided into three parts, the first of which is devoted to the history of the world from the beginning of time to the present day. The second part is devoted to the history of the English people from the beginning of time to the present day. The third part is devoted to the history of the English people from the present day to the future.

They who turn the contents of this history will not be surprised that the history of the English people is a long and tedious work. It is a long and tedious work, but it is a work of great interest and value. It is a work of great interest and value, and it is a work of great interest and value. It is a work of great interest and value, and it is a work of great interest and value. It is a work of great interest and value, and it is a work of great interest and value.



## P R E F A C E.

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**T**HE year 1826 has been a busy year in almost every quarter of the world. The variety and the importance of the negotiations, military operations, and measures of civil polity, which have been in progress, have added greatly to the ordinary labours of our task ; and thus, in order to give a full delineation of the events and transactions of the year, we have been compelled to extend that portion of our volume, which is devoted to historical narrative, beyond its usual limits. This increase of size in the more important part of the work has made it necessary to allot to philosophy and miscellaneous literature fewer pages than we have generally done heretofore, or mean to do hereafter.

They who survey the contents of our history will not be surprised, that our period of publication should be a few weeks later than usual. Fully aware of the value and convenience of punctuality, we have taken care for several years that the appearance of the Annual Register should not be deferred

beyond the month of June. But, on the present occasion, the greater degree of labour required in the composition of the volume rendered it impossible to complete it by the usual time. Had we attempted to hasten the period of our publication by a few weeks, we could not have presented to our readers so faithful and distinct a narrative of the business of the year as that which we now lay before them.

*August 1st, 1827.*



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THE  
ANNUAL REGISTER,  
FOR THE YEAR  
1826.

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THE  
HISTORY OF EUROPE.

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CHAP. I.

*State of the Country—Meeting of Parliament—King's Speech and the Address—Measures proposed for relieving the Commercial Distresses—Prohibition against Stamping small Notes—Mr. Hume's Motion for Returns of Bankrupt Country Banks—Bill brought in to prohibit the Circulation of small Notes after Feb. 5th, 1829—Exception in favour of the Bank of England—Mr. Hume's Motion to require Security from Country Banks—Reasons for limiting the Bill to England—Scottish Banks.*

THE commencement of the present year was marked by a continuance of that depression in manufactures and commerce, which had prevailed at the close of the preceding. The demand for the labour of the artisan had not yet revived; and want of employment, and its concomitant misery, were the results. Neither had private credit been yet restored; the failures of private bankers,

both in the metropolis and in the country, continued to multiply, though much less rapidly, than in the end of 1825; and the universal distrust which existed, by limiting the facilities of obtaining discounts and advances, deprived commerce of its natural aids, and increased the difficulties of the trader. The ship-owners, likewise, were suffering from the inability to procure freights, an in-



ability occasioned by the foreign markets being glutted, and by there being, therefore, a scarcity of employment for ships, because there was a cessation in the demand for the articles which ships were to convey. There was thus throughout the whole community a great deal of pecuniary embarrassment, of comparative privation, and of positive suffering. No man, indeed, who looked impartially at the causes which had led to such consequences in the mercantile and manufacturing world, could see in them reason to doubt the solid resources, or the public credit of the country; and, except that the ship-owners ascribed their difficulties to the changes lately introduced into the navigation laws, and that the unemployed artizans of Lancashire rose riotously, on one occasion, for the destruction of machinery, there was no spirit of discontent, nor any tendency to disturb the public peace. The lower classes, in particular, bore their sufferings with a quietness and resignation which ensured universal sympathy; in every quarter of the empire, liberal subscriptions were cheerfully made to alleviate the distress of the poor: still this distress existed widely and severely, and doubts and difficulties threw a gloom over the manufacturing, the trading, and the monied interests of the country.

Such was the state of things, when Parliament was opened on the 2nd of February, by commission; temporary indisposition having prevented his majesty from attending in person. The Speech from the Throne was as follows:—

“My Lords and Gentlemen;

“We are commanded by his Majesty to inform you, that his Majesty has seen with regret the

embarrassment which has occurred in the pecuniary transactions of the country, since the close of the last session of Parliament.

“This embarrassment did not arise from any political events, either at home or abroad: it was not produced by any unexpected demand upon the public resources; nor by the apprehension of any interruption to the general tranquillity.

“Some of the causes to which this evil must be attributed, lie without the reach of direct parliamentary interposition, nor can security against the recurrence of them be found, unless in the experience of the sufferings which they have occasioned.

“But to a certain portion of this evil, correctives, at least, if not effectual remedies, may be applied, and his Majesty relies upon your wisdom to devise such measures as may tend to protect both private and public interests against the like sudden and violent fluctuations, by placing on a more firm foundation the currency and circulating credit of the country.

“His Majesty continues to receive from his Allies, and, generally, from all foreign princes and states, the strongest assurances of their friendly disposition towards his Majesty. His Majesty, on his part, is constant and unwearied in his endeavours to reconcile conflicting interests, and to recommend and cultivate peace, both in the old world and in the new.

“His Majesty commands us to inform you, that, in pursuance of this policy, his Majesty’s mediation has been successfully employed in the conclusion of a treaty between the crowns of Portugal and Brazil, by which the relations of friendly intercourse long interrupted be-



tween two kindred nations, have been restored, and the independence of the Brazilian empire has been formally acknowledged.

“His Majesty loses no opportunity of giving effect to the principles of trade and navigation, which have received the sanction of parliament, and of establishing them as far as possible, by engagements with foreign powers.

“His Majesty has directed to be laid before you, a copy of a convention, framed on these principles, which has recently been concluded between his Majesty and the king of France; and of a similar convention, with the free Hanseatic cities of Lubeck, Bremen, and Hamburg.

“His Majesty has likewise directed to be laid before you a copy of a treaty of amity, commerce, and navigation, concluded between his Majesty and the republic of Colombia, the ratifications of which have been exchanged since the close of the last session. For the carrying into effect some of the stipulations of this treaty his Majesty will have need of your assistance.

“His Majesty regrets that he has not to announce to you the termination of hostilities in India: but the operations of the last campaign, through the bravery of the forces of his Majesty and of the East India company, and the skill and perseverance of their commanders, have been attended with uniform success, and his Majesty trusts that a continuance of the same exertions may lead, at no distant period, to an honourable and satisfactory pacification.

“His Majesty’s attention has been directed to the consideration of several measures, recommended in the last session of Parliament,

for improving the condition of Ireland.

“The industry of that part of the United Kingdom, his Majesty has the satisfaction of acquainting you, is in a course of gradual and general advancement—an advancement mainly to be attributed to that state of tranquillity which now happily prevails throughout all the provinces of Ireland.

“Gentlemen of the House of Commons,

“His Majesty has directed the estimates for the year to be prepared and laid before you.

“They have been framed with an anxious desire to avoid every expenditure beyond what the necessary demands for the public service may require.

“His Majesty has the satisfaction of informing you, that the produce of the Revenue in the last year, has fully justified the expectations entertained at the commencement of it.

“My Lords and Gentlemen,

“His Majesty deeply laments the injurious effects which the late pecuniary crisis must have entailed upon many branches of the commerce and manufactures of the United Kingdom.

“But his Majesty confidently believes, that the temporary check which commerce and manufactures may at this moment experience, will, under the blessing of Divine Providence, neither impair the great sources of our wealth, nor impede the growth of national prosperity.”

The Address was moved in the Lords by earl Verulam, and, in the Commons, by Mr. Stuart Wortley. In neither house did it encounter any serious opposition, although much discussion took place on every topic to which it alluded,



and on some to which it did not allude.

In the House of Peers, lord King, after ascribing our pecuniary embarrassments to over-issues of paper by the Bank of England, attacked the Corn-laws, and urged the necessity of immediately effecting in them a complete alteration. With this view he moved an amendment to the address, pledging the House to revise the Corn-laws in the course of the session. Lord Grosvenor, and the marquis of Lansdown, without denying that it might be desirable and necessary to agitate the question at a future period, resisted so hasty a proposal, and the amendment was negatived without a division. The principal object, indeed, of the peers who spoke, was, to obtain from the minister some general description of the measures alluded to in the speech, as likely to be proposed for the purpose of preventing the recurrence of such pecuniary embarrassments as now existed. Lord Liverpool ascribed these embarrassments to the mad spirit of speculation which had raged during the last two years—a spirit rendered doubly mischievous by having extended itself to the country, and so affected the issues of the country banks, that they had increased in a far higher proportion than those of the Bank of England. In 1823 the issues of the country banks had amounted to only four millions; in 1824, when speculation commenced, they rose to six millions; and, in 1825, to eight millions, having doubled in the course of two years. The palliatives, or correctives, which government intended to apply were, first, to prohibit the circulation, after a certain period, of notes under 2*l.*, whether issued by the Bank of Eng-

land, or by any private banker: secondly, to increase the stability of private banks, by enabling them to augment their capital; and, with that view, to repeal that clause in the charter of the Bank of England, which made it unlawful for any private banking establishment to consist of more than six partners.

In the Commons, the concurrence in the address was equally unanimous. Mr. Brougham, reserving for himself and his friends freedom of opinion on the various topics of the Speech, when they should be specifically brought forward, believed, that the distress, which now existed, proceeded from causes much more complicated than those to which the Speech ascribed it. He believed it, however, to be universal; and of that universality he dexterously took advantage to combat the opinion of those who derived it from the late introduction of more liberal principles into our commercial policy. “If,” said the learned gentleman, “the embarrassment were confined to any one branch of our commerce, for instance, to the silk trade, then an argument might be raised, and, without any great violence to facts, the distress might be attributed to our new commercial policy. But when it is observed that not only silk, but wool, cotton, and linen, are equally affected, it is in vain to deny that the nature of the facts rebuts the assertion of any connection between the present distress, and the principles of free trade.”

The Chancellor of the Exchequer followed the same course which had been pursued by lord Liverpool in the House of Peers. While he maintained that many of the causes by which our commercial



difficulties had been produced, were, in their own nature, inevitable, and beyond the control of any government, he allowed that some of them were within our reach, and that their influence might, at least, be modified. The principal of these he held to be the great increase of the issues of the country banks, and the weak foundation, in point of capital, on which many of these establishments stood. The latter was the consequence of the exclusive privileges of the Bank of England; and, looking at the immense extent of our transactions, he was perfectly satisfied that a single company was by no means adequate to the banking purposes of the country, especially in districts remote from the metropolis. The result in such districts was, that banks sprung up conducted on views widely remote from solid principles of banking.

Mr. Hume denied that the pecuniary distresses of the country were to be ascribed to the banking system, and maintained that their true causes were to be found in the pressure of taxation, and the lavish expenditure of the government. The whole empire, in the opinion of the honourable gentleman, presented one scene of extravagant misrule, from the "gold lace, and absurd paraphernalia of military decoration" of the Guards, up to the mismanagement of the Burmese war; and it was a farce to attribute the distress of the country to the banks, or the banking system.

Mr. Cripps defended the country banks from the imputations which had been cast upon them. He said that only those could judge fairly of their merits, who were deeply interested in the subject. The failures, which had taken place among them, had been chiefly occa-

sioned by want of knowledge on the part of individuals by whom banks were managed; but those which had been conducted with prudence and good sense, had experienced little difficulty in weathering the storm. If the existing system were to be altered suddenly, or without due deliberation, and if the country banks were driven to call in precipitately the loans which they had made upon mortgages, an effect would be produced upon the country which no one anticipated, and an alarm would be excited, the consequences of which no one could foresee. Mr. Smith, likewise, though favourable to the removal of the restriction on the number of partners in private banks, foresaw, that the new companies to be formed would necessarily lessen the public confidence in all the ancient establishments; and therefore urged that the time when the proposed measure was to come into operation should be stated, in order that the ancient establishments might be prepared against the powerful competition of the new Joint-stock companies.

Mr. Maberly, and Mr. Baring, spoke in terms of high eulogy of the conduct of the Bank of England during the dangers of the crisis which had just gone by. "Their conduct" said the latter hon. member, "had been what every one must applaud. It was impossible for any public body, for any set of men, to have acted with more honour, promptitude, or good sense, than the Bank evinced upon that emergency." In regard to the measures now proposed, he had long been convinced that the existence of the one and two pound notes was a nuisance; but the withdrawing of them from circulation required much caution, and



ought not to be enforced, until the fever, which at present afflicted the mercantile world, had subsided; for the country was now in that state in which it rather required additional facilities, than that those already in existence, should be limited. Another measure of great importance to the object in view would be, to compel the country banks to make returns of the numbers of their notes in circulation at stated intervals. It might be objectionable to require returns of their whole assets; for the banker might complain that such a proceeding would injure his credit. But to a mere statement of the amount of notes which he had in circulation, there could be no well-founded objection; while, from such returns, parliament would know with certainty the facts upon which they were legislating, instead of being confined to the loose data with which they were now obliged to remain contented.

The mention made in the Speech of the conclusion of a treaty with the republic of Columbia, called forth, in the course of the discussion, many expressions of admiration at the masterly and cautious policy by which Mr. Canning had solved the difficult problem of connecting ourselves with the new governments of South America as independent states. The treaty, however, which had been concluded, under our mediation, between Portugal and Brazil, and which secured the independence of the latter, and its separation from the crown of the former, did not meet with equally unmixed approbation. Mr. Baring regarded it as only making this country a party to any future contingency which might arise, tending to a

re-union of the two countries under one sceptre. Mr. Brougham expressed his hope that it never would be ratified, but for a different reason. The treaty contained an article by which the parties to it mutually bound themselves to give up each to the other, all subjects of either taking refuge in the territory of the other, who might be accused of high treason. This article Mr. Brougham denounced as an infamous provision, and "as a revival and extension of our own worst law on the Statute-book, the Alien bill," and he sincerely trusted that it would not receive the sanction of the government of this country. Mr. Canning said, that he entirely agreed with Mr. Brougham as to the character of the stipulation to which he had alluded, and that there were other stipulations which were equally objectionable. Without imputing blame to those who negotiated it, he would only say that it had been negotiated without instructions from the government at home, and was contrary to their views. For that reason it had not been ratified, nor would it be ratified.

Although it was not till the 10th that the propositions for proscribing the small notes, and enlarging banking partnerships, were formally brought forward, they were, in the interval, incidentally the subject of frequent discussion. Government, having resolved to prohibit the issue of small notes stamped after a certain period, and apprehensive that, in the interim, they might be stamped to any extent, had given orders immediately to put an end to the stamping of such notes. On the 8th, Mr. Calcraft inquired whether this was the fact; and being answered by the Secretary of the Treasury in the affirm-



ative, he declared it to be a most unconstitutional exercise of power, and brought it again before the House on the following day. It was a step, he said, which not only added to the panic already produced by the contemplated measure of government, but was likewise a most illegal act, and a gross violation of justice. Ministers ought either to have passed a short bill through parliament authorizing the step which they had taken, or, at least, ought to have informed parliament that it had been taken. The individuals, whose interests had thus been sacrificed, had licenses from government, for which they had paid, and which permitted them to issue their notes till the 10th of October. They had proceeded under the solemn guarantee of an act of parliament; and yet government, by prohibiting the stamping of the notes, had deliberately violated that statutory guarantee. Mr. Gordon expressed the same sentiments, and deprecated the plan of withdrawing the notes from circulation.

The Chancellor of the Exchequer defended himself by the plain prudence and absolute necessity of the measure. In the discussion upon the Address, the plan of government had been opened sufficiently in detail to enable the country bankers to see its object, and understand its bearings. There was thus every reason to apprehend, that they would take advantage of the interval to stamp their notes to an indefinite amount; and it was, therefore, impossible for ministers to allow the stamping of such notes to go on, without rendering their intended measure altogether nugatory: they would have been guilty of absurdity and inconsistency, if, having resolved upon the

measure, they did not follow it up. What they had done in taking this step, might perhaps require an act of indemnity; and if it did, he trusted the House would have no difficulty in acceding to such a bill. Mr. Ellice said, that he held the measure in question to have been illegal; but he held it likewise to have been prudent and necessary. He was at a loss, however, to imagine, how, after government had intimated their intention of putting an end to these notes, the putting an end to them on Monday, or on Tuesday, could occasion any serious alarm. He could easily imagine how the intimation of an intention to put an end to the notes at all might produce alarm, but not how an act, the only effect of which was, to put an end to them a day sooner, or a day later, could produce that effect.

On the same evening, the marquis of Lansdown called the attention of the House of Lords to this prohibitory measure; and said, that, favourable as he was to the plans which government had in view, he felt it his duty to reprobate such an exercise of the dispensing power, and that, too, at a time when parliament was sitting, as a most dangerous precedent to the constitutional liberties of England. Lord Liverpool answered that government had not taken the step in question, until a day was fixed for the introduction of a bill into the other House of parliament upon the subject; nor had it even then been resorted to, until his majesty's government had reason to believe, that, if they had not resorted to it, there were individuals who would have left no means untried to defeat the measure then in progress; and this was done not upon light grounds, but upon the



strongest evidence that there existed a design to obstruct the intentions of parliament. If it were asked, why a short act of parliament was not introduced with reference to this prohibition, he would reply, that there did not remain time for it; as even the short delay necessary for such a purpose would have given an undue advantage to bankers residing near the metropolis.

Mr. Hume moved, on the 9th, for "returns of the number of country banks issuing notes which have become bankrupt from January 1816 to the present time, stating the place where such banks were kept, the names and number of partners in each, the amount of debts proved, and the rate of dividends paid in every instance, as far as these particulars can be ascertained." The only opposition made to the motion proceeded on the ground of its being an attempt to investigate private affairs, and to bring before the House matters, of which the House could take no cognizance. The motion was agreed to; but it brought on a discussion regarding the character of the country banks, and the share which they had borne in producing the late embarrassments. Mr. Smith, adverting to the opinions contained in the communication from the Treasury to the Bank directors, on 13th January, that these embarrassments had found their source in a rash spirit of speculation, and that this spirit had been supported, and encouraged by the country banks, begged leave, in his own name, and in the names of the country bankers, whether in or out of the House, to give to that assertion a most distinct and unqualified contradiction. He described them as a class of men of the highest prudence, honour, and integrity; and

the chancellor of the Exchequer, and his friends, if they persisted in their rash and unadvised opinion, ought to state the facts from which their sweeping conclusion was derived; for there was no policy in blinding the public to the true causes of the distress, and no honesty in unfairly directing the weight of its odium against the country bankers.

The cause of the country banks was likewise steadfastly maintained by Mr. Calcraft, Mr. Gurney, and Mr. Robertson. So far, they said, from the assertion being true, that these banks had encouraged wild speculation, they had either effected positive good, or were, at least, unable to effect mischief. It was impossible to suppose for a moment, that speculations to the amount of seventeen millions, existing in the heart of the metropolis, could have been produced, or supported, by the issues of country banks; for the moment a country note arrived in London, it was converted into cash, or Bank of England notes, otherwise the issues would instantly fall in credit. It was utterly impossible for the country bankers to force into circulation a sufficient quantity to aid speculation to that extent in which government seemed to believe. Any spirit of speculation which the country banks might ever have encouraged, was not one of recklessness and wildness, but an animating and advantageous spirit, which had long operated most beneficially in promoting our commercial prosperity. The country bankers stood in no need of a vindication either of their prudence, or their integrity. Undoubtedly in a body of seven hundred persons, there might be some fools, and some knaves; but, for their number, they were equal to any class of the



community ; and, as a body, were tainted with no blemishes which did not attach in the same degree to all commercial men.

The Chancellor of the Exchequer expressed himself anxious, that the opinions, which he might have uttered in relation to the country bankers, should not be misunderstood. In the communication with the Bank, neither he, nor the first lord of the Treasury had entertained the most distant intention of throwing out imputations on individuals. Their statements were directed against the system of country banks, as it at present existed, not against the persons by whom they were conducted ; and when he said that a rash spirit of speculation had been encouraged by these banks, he meant by the banking system, not by individual bankers. Even if the language used in the communications with the Bank had been much more particular than it was, it could have conveyed no personal imputation ; for every commercial man of capital or credit, is, to a certain extent, a fosterer of speculation, in no culpable sense of the word, and without any prejudice to the integrity of his character. But while he was well aware, that the majority of the country bankers were above all imputation, and while, therefore, he would feel ashamed of himself if he could intend to attach blame to their individual conduct, yet, it was his right and his duty to animadvert on their system of banking, and the effect of the laws under which it was carried on.

On the 10th of February, the whole House having resolved itself into a committee on the Bank Charter bill, the Chancellor of the Exchequer formally brought forward the proposition for prohibit-

ing the circulation of small notes. Although he allowed that fluctuations were inseparable from trade, in defiance of any precautions which ingenuity could invent, yet their effects, if not always caused, were often aggravated, by a state of currency, and a facility of speculation like those produced by the issues of paper which now existed. The small notes, in particular, carried the consequences of these changes among those on whom they pressed most severely. They were principally in the hands of the labouring classes, and, to a person of that rank, a few of them constituted a fortune. But when a panic took place, the poor man was the first who hastened to save his little store by withdrawing it from the banker ; as the alarm spread, the more wealthy imitated the growing example ; and a sudden run brought with it the downfall of the bank. To replace such notes, therefore, by a metallic currency, would at once tend to the security of the banks themselves, and would limit the misfortune which their failures would otherwise produce. In fact the proposed measure was not a novelty, but had been the regular policy of the country ; and its opponents alone were the true innovators. An act of parliament had been passed in 1775, prohibiting the issue of bank notes : in 1777, another act had prohibited the issuing of notes under 5*l.*, and, so far from its being suspected that such restrictions would cramp the commerce of the country, the Bank had, on that occasion, declared, that the issuing of such notes, besides being a political evil, was not necessary for the maintenance of our manufactures, or the prosperity of our trade. The latter statute was made per-



petual in 1787, and continued untouched till 1797, when its operation was suspended until two years after the restriction on the Bank from paying in gold should have expired. This suspension was not the result of any belief that the small notes were closely connected with the prosperity of manufactures, of agriculture, or of commerce, and that their circulation ought not to be interrupted. On the contrary, all parties at that time agreed that they should be withdrawn as soon as possible; and no one had contemplated their continued circulation, after the Bank should have resumed cash payments. And yet, during the whole of that period, from 1777, both manufactures and commerce had grown and prospered, notwithstanding the absence of the small notes.

The right hon. gentleman argued, that any apprehensions of the likelihood of injury to agriculture or commerce from the proposed measure must be founded upon this—that the prohibition of small notes would diminish the circulation by the amount of these notes, that their absence could not be supplied by gold, and, that, therefore, manufactures and trade would, to this extent, be left without their necessary and legitimate facilities. Such apprehensions were entirely visionary. During 1820, 1821, and 1822, twenty-five millions of gold sovereigns had been coined, and of these 7,209,000*l.* were exported. During the last half year, the amount of a million had been imported; so that the amount in the country might be taken at nineteen millions. This had been effected in consequence of the necessity of preparing for the resumption of cash payments

by the Bank, and was, in fact, the creation of a new basis for a metallic circulation: but all that could be rendered necessary by withdrawing the small notes was, to superinduce a small circulation of gold upon the large basis which already existed. It was difficult to ascertain the amount of country bank paper in circulation at any given time; but an approximation to it might be made through the number of stamps issued. Taking this foundation, and looking at the average of the last three years, it might be estimated that something more than six millions was the amount of the country small paper current in 1825. But it was not possible that such could be its amount at the present moment; for, in consequence of the necessity of paying immediately in gold, the country bankers had been unwilling to send forth a larger amount of paper than they were able to take up, and a considerable proportion of gold coin had thus found its way into country circulation. The present amount of country paper could not be estimated at more than four millions; and the practicability, therefore, of filling up, in the course of three years, the vacuum produced by withdrawing that amount from circulation, was the utmost extent of the question which the proposed measure could raise. Thus any notion of the impossibility, or even difficulty, of supplying the place of the small paper, was groundless. Some difficulty and inconvenience might be experienced in certain places, and under certain circumstances; but they could not be general, or such as ought to deter parliament from applying a decided remedy to the evils which we had suffered. The



circulation of the Bank of England in 1820, was 23,875,000*l.*; in 1822, it was only 18,000,000*l.* a larger difference in the total amount of circulation than could possibly be produced by the proposed measure: yet not only had that deficiency been supplied, but, during these three years, twenty-five millions in gold had been coined.

The withdrawal of the small notes, therefore, while it gave security equally to the bank which issued, and to the party who held them, would not operate injuriously on the currency, or on the trade and manufactures of the country. There were two ways of effecting this withdrawal. The one was, by enacting that no small notes should be stamped after a certain future period: the other, by allowing those already in circulation to run a certain course till a fixed period, and prohibiting any new ones to be created. The first of these modes might lead, in the course of three years, the proposed period, to very unsatisfactory results; for, if the power of stamping were to remain unlimited during that period, so considerable a number might be stamped as to subject the country, in its ultimate endeavours to get rid of them, to all its present evils. It was intended, therefore, to propose, as a more convenient, effectual, and expeditious plan, that no new notes at all should be stamped, and that those now in circulation should, at the end of three years, be allowed to circulate no longer. In consequence of certain differences which distinguished the banking systems of Ireland and Scotland, particularly the latter, from that of England, the enactment would not, at present, be extended to either of the two former parts of

the empire. He concluded with moving the following resolution—“That it is the opinion of this committee, that all promissory notes payable to the bearer on demand, issued by licence, and under the value of five pounds, and stamped previous to the 5th of February, 1826, be allowed to circulate until the 5th of February 1829, and no longer.

Mr. Baring took the lead in opposition to the measure. He objected to it as being both utterly inadequate to meet the evils complained of, and ill-suited to the present situation of the country. Neither could he agree in ascribing the embarrassments, which had arisen, entirely to speculation or over-trading; for much of it had been owing to the conduct previously pursued by the Bank. At the end of 1822, and in 1823 and 1824, the Bank had accumulated in its coffers a large amount of specie; during that period, its dividends were raised from 8 to 10 per cent after large bonuses had been granted to the proprietors; and, in the mean time, the notes of the country bankers were increasing, an issue of Bank of England paper always tending to increase the issue of country bank paper. In consequence of the quantity of money thus in the market, interest fell to four, and three and a half per cent; and every person, who had money to lay out, apprehensive that he might not be able to put it out profitably at all, did invest it for so long a period, as to expose them to the full action of the change which followed. But the Bank of England soon discovered its error, by its specie being drawn out. It then suddenly contracted its issues; and those, who, the week before,



could not tell what to do with their money, could not now tell where to find money. The Bank, no doubt, acted in perfect good faith; it was their first duty to take care of their own interests, but still the consequences were the same. The London bankers now called upon their correspondents the country bankers, who again called upon their customers, and every creditor upon his debtor, although a short time before every one had been anxious to invest his money. This state of things brought to the ground all those of feeble credit; and, in the next place, many who had been supposed to stand firm and upright. Then came panic; and the country bankers being themselves called upon, were compelled to call on those who were indebted to them; and even the man who did not actually want money, called for it, to provide for that event, which, in the then state of things, might occur in a single day. The Bank was too much fettered by its advances to, and agreements with government, to meet the casual embarrassments which might from time to time arise. It ought to have available possession of all its means; for, being the heart of the circulating medium, if it was unsound, the most perilous evils were inevitable. If the Bank had been unincumbered by government, it could have come to the assistance of the people with resources adequate to the emergency, and put a stop, at once, to the rising distress. That distress, which was more intensely felt than government seemed willing to believe, would be increased by the proposed measure, for the country was not yet in a situation to bear it. The very exertions of the country bankers to prepare for the

intended change, had already augmented that distress. They were indeed preparing; but they were doing so by screwing almost to destruction every farmer, manufacturer, and other customer in the country, from whom they could get their money. Many of the country bankers had already secured the means of meeting this new order of things in part; but if parliament were to allow them longer time, they would be able to afford relief to the many poor and deserving people, whom otherwise it would not be in their power to assist. The important question was, not what was theoretically the best, but what was the safe course, and what, under all the circumstances, it was possible to attain; and the general distress that pervaded the country districts was the first thing, to which, in discussing questions of this nature, parliament was bound to attend. The proposed measure would do little or nothing, and the little it might do, would be an aggravation of the evil. He would recommend them to establish banks, either by Joint-stock companies, or on the common principles on which they at present stood, but so as to induce persons of capital to become bankers; next, to introduce silver as a standard of the currency no less than gold, which would at all times enable them to purchase gold, and would tend to retain more gold in the country; and lastly, to relieve the Bank from those incumbrances which had hitherto, in consequence of its pecuniary connections with government, weighed upon, and controlled it.

The resolution was likewise strenuously opposed by sir John Wrottesly, alderman Thompson, alderman Heygate, and Mr. Wil-



son, one of the members for London. But their opposition was almost the only thing in which they, and other members who spoke on the same side, agreed. Some held that the measure in contemplation would be wholly inoperative to give any effectual relief; others, that it would be positively mischievous; and a third party, while admitting that the principles on which it proceeded were sound in themselves, thought that the present state of the country required its postponement. They treated as visionary the scheme of increasing the number of partners in private banks, as a means of security; because it was not on the number of partners, but on their prudence, and their mode of conducting business, that the credit of a country bank depended. The country bankers, sir J. Wrottesly maintained, instead of having excited a mad spirit of speculation, were the only persons who had not speculated; and, in reality, were obliged, from a regard to their own safety, to discourage all dangerous speculation on the part of their customers. In point of fact, moreover, where did this spirit of speculation commence? It first shewed itself in Manchester and Liverpool, in a district where no local notes circulated. The cotton speculations in these two places were the very first heard of; and yet in neither of them did a single country note circulate. The next point at which this spirit was manifested, and at which it had led to its unhappiest results, was, not in the country where the notes in question circulated, but in the heart of the city, on the stock exchange of London. In 1720, the only year in which the country had been overrun with wild spe-

culations, such as had been recently witnessed, there were no country banks, and no country paper; and in 1797, when the Bank stopped payment, there were no country notes, and no small notes even of the Bank of England. In the face of such facts it was impossible to charge the present distress upon the conduct pursued by the country bankers. It was the failure of seven London bankers that had occasioned one half of all the failures in the country: the capital, the cash, and the bills of more than an hundred country bankers had been placed in the hands of London bankers; and the only surprising thing was, that a greater number of the former had not failed in consequence. And, in so far, again, as the distress might have arisen from overtrading, how were the country banks to be made responsible for the failure of speculations in cotton, or tallow, or spices?

It was farther urged, that the very essence of the present pecuniary embarrassments, consisted in the curtailed state of the currency; and the direct tendency of the proposed measure was, to increase them, by curtailing it still more. Taking the currency at twenty millions, and the deduction to be made on account of the recent failures at three millions and a half, the effect of the scheme in contemplation would be to cause a still farther deficiency, and reduce it to about ten millions, with which it would be impossible to carry on the trade of the country. Although a respite of three years was pretended to be granted to the small notes, yet the adoption of the resolution would be almost tantamount to driving them immediately out of circulation; because every



banker, who entertained a due regard for his own credit, would be compelled to take measures for withdrawing his notes as expeditiously as possible. These had been issued, in reliance on the stability of the system, and on the faith of acts of parliament which ought to be as inviolate as the charter of the Bank; and they had been advanced to promote the most laudable objects, to assist individuals in carrying on useful improvements, and in supporting industry. These sums must now be called in, and the course of industry, in numberless channels, must be stopped. A banker could not draw in four or five hundred pounds without throwing four or five persons out of employment: this was already going on all round the country, in consequence of the manifesto against the banks contained in the correspondence between government and the Bank of England, and still more in consequence of that arbitrary and illegal act, by which ministers, by their own mere will, had prohibited immediately the farther issuing of stamps. The extent, to which the evils arising from this compulsory contraction was spreading, and might spread, no man could pretend to calculate; nor ought the House to be surprised, if it should turn out, that they were leading rapidly to consequences of which the House would be very unwilling to hear. How was the gap thus made in the circulation of the country to be filled up? At the termination of the war, there existed a strong desire to return to a metallic currency; and, during the first years of peace, there was a great facility of obtaining specie. But the case was altered now. No country could obtain it, without

giving its value in commodities. At the end of the war, our manufactures, still in their prime, while those of the continent were only beginning to recover from a long period of languor, commanded every market, and enabled us to obtain our gold. But at present the manufactures of the continent and America were springing up all around us; every year we were more and more excluded from foreign markets; and, in fact, the inability to dispose of our commodities, formed one of the most aggravated features of the existing distress. In such circumstances, it would be most unwise to adopt a measure, which, besides injuring an individual class, would necessarily tend to increase public calamity. As a measure of present relief, it was mischievous and inappropriate; and as a measure of prospective security, it would be nugatory.

The resolution was supported by Mr. Huskisson, Mr. Peel, and Mr. Canning. They denied that to ascribe much of the distress which had prevailed to the issues of the country banks, was to attack the character of the persons connected with these establishments, or that any thing had occurred to justify the extreme sensibility which had been manifested on their behalf. In the class of country bankers, unquestionably, were to be found individuals of as high character as in any other that could be named; but this could be no reason, why the system, on which men, who, in some respects, filled the office of public functionaries, were acting, should not be discussed with perfect freedom; nor could the country bankers complain of being ill-treated, in being held unfit to exercise—as they virtually did—the



prerogative of the Crown in regard to the currency. With regard to the measure itself, it was not intended so much as a remedy for existing evils, as a preventive against their future recurrence, by bringing the currency, to a certain extent, to be a metallic one, and especially that portion of it which alone supplied the wants of the lower classes. All experience proved that this restoration of a metallic currency could not be effected, so long as small notes were allowed to be circulated: a permanent state of cash payments could never exist by their side. If, in any country there be a paper currency, of the same denomination with the metal currency, the paper and the coin will not circulate together, but the latter will be expelled by the former. If crown notes, and half-crown notes, were issued, crowns and half-crowns would disappear; and if the one-pound notes continued to circulate, a sovereign would become a rarity. There never was a gold circulation in the country, except in Lancashire, where no country notes existed; and when, in 1822, and 1823, the Bank of England was most anxious to supply the country with gold, the sovereigns sent down by one mail coach returned with the next. Great sacrifices had already been made to effect the introduction of even the partial metallic currency now in existence; and these sacrifices had been made in vain. A large supply of gold was obtained at a great expense, and was obtained only that we might see it depart and be compelled to purchase it again at a double expense; nor could the currency of the country ever be placed on a solid basis, unless country banks were prohibited from issuing notes, except-

ing such as were of a considerably higher denomination than the current coin, so as to save it entirely from the competition of the paper currency. The principle of the measure, therefore, could be resisted only by those who held that the pecuniary relations of the country were best secured by proscribing a metallic currency. Its necessary effect, again, would be to give solidity to the banks themselves, by compelling them to maintain a portion of their circulation in gold, instead of worthless paper; and thus, even where a failure took place, that extensive misery, which such an occurrence produced among the lower classes, would no longer return; for the security of the poorer classes in such cases lay in the absence of small paper. Let the Bank of England retain in its hands as much gold as might be necessary for the ordinary operations of commerce, for such demands as the exigencies of government might require, or to adjust an unfavourable state of foreign exchanges. Let every country bank be governed by the same rules, and compelled to keep an amount of gold proportioned to its operations; and thus would be created a sensitiveness to occurrences likely to cause a pressure on the country banks, which would tend to the security of the whole kingdom. The issues would be kept within bounds, and gold would be kept in the kingdom. To judge of the unsoundness of the present system, it was only necessary to look at the fact, how easily many of the country banks had, at all times, been overturned. In 1793, there had been one hundred failures among them; in 1810, there were commissions of bankrupt issued against twenty-six; in 1811,



against four ; in 1812, against seventeen ; in 1813, against eighteen ; in 1814, against twenty-nine ; in 1815, against twenty-six ; in 1817, against thirty-seven ; and during the late crisis, against no fewer than seventy-six. Even those numbers were undoubtedly below that of the failures, for in many cases of insolvency commissions of bankrupt had not issued. Any measure would be good which, by compelling these establishments to rest, in part, at least, on the necessity of circulating gold, would give solidity to themselves and security to the public ; and the effect of the present measure would be, that the small note circulation would immediately be superseded by a metallic one. There were at least 17,000,000 of sovereigns in the country ; the prohibition against small notes would forthwith bring them into circulation, whether they had been hoarded up in the coffers of the cautious from prudential considerations, or retained in the chests of country bankers, who would rather see their own notes circulating. Thus, in point of fact, it was far from being certain that a new importation of gold would be necessary even to fill the place of the four or five millions which would be abstracted from the paper circulation : the gold was already in the country, although seldom seen, because thrust aside by the small notes ; for, of the twenty-five millions which had been coined since 1819, not more than eight millions had been exported.

By the official returns, the quantity exported was 7,269,000. No doubt considerable sums might have been exported without finding their way into the official accounts ; and smuggling transac-

tions might have carried some out of the country. But, making a most extravagant allowance for these additions, the amount exported will not exceed 10,000,000, leaving 15,000,000 still in the country, to which was to be added a million imported since last November, in consequence of the exchanges having again turned in our favour. Now, the average issue of small notes by the Bank of England, during the suspension of cash payments, had been 7,000,000 ; the small paper of the country banks could not be estimated at more than 6,000,000, although they had gone on increasing their issues, while those of the Bank of England had been contracted. Thus, the paper to be removed amounted to 13,000,000, and there were 16,000,000 of sovereigns in the country to occupy its place. Where, then, lay the difficulty of effecting the object which the proposed measure had in view ? Within the metropolis, and its immediate vicinity, there was nothing but a metallic currency. In Lancashire, in Liverpool, containing not fewer than 150,000 inhabitants, and Manchester, containing, perhaps, 200,000, no such thing as a small paper circulation was ever known ; so that in a district, possessing not fewer than 2,000,000 of inhabitants, nothing was to be found but a metallic currency. Adding the contents of this district to that of the metropolis, there were 4,000,000 of people occupying districts, which contained two thirds of the entire wealth of the nation, in the daily practice of conducting all the ordinary transactions of life without the assistance of a paper currency, and yet these are precisely the places, in which the



greatest difficulties to the establishment of a metallic circulation would be expected to exist.

While the expulsion of the small notes would thus necessarily restore the securities and the stability of a metallic currency, it was chimerical to regard it as injurious to the country banker himself. The small-note circulation cannot be taken at more than five millions; and it never can be reasonably contended, that gradually to diminish that circulation, at the rate of a third part in each of three successive years, could be attended with any thing like a shock to the credit of firms, which, in the recent concussion, had displayed such unequivocal marks of stability. The number of country banks was about eight hundred; one hundred of these had failed; there still remained seven hundred; and the circulation of each of these would average about 8,000*l*. Could it then be supposed, that a stability which had stood the late tremendous shock, would be shaken or destroyed by a gradual curtailment of paper to the extent annually of 2,000*l*. or 3,000*l*. for three successive years? When the difficulty was thus reduced—when the means were so limited and humble, by which a mighty principle was to be established—when, by an operation so minute, and a process almost insensible, the prodigious advantage could be attained of placing the pecuniary concerns of the country on the broad and imperishable basis of a metallic currency, it would be as imprudent to let slip the opportunity, as it would be unreasonable to deny the principle. The intended change was not to affect the paper circulation at large; it was not to trench upon the great mass of paper currency, which was confined

to notes of the higher denominations: “these may be piled mountains high, provided the base be refreshed by copious streams of the metallic currency.”

To those, who, without objecting to the principle of the measure, wished it to be postponed, it was answered, that, instead of coming too soon, it had come, if any thing, too late. If it had been adopted at an earlier period, for instance, in 1822, when government was foiled in a similar attempt to make the country bankers deposit security for their issues, it would have been happier for the country. At no time likely to arrive could there be a more favourable opportunity for effecting the object in view; for one result of the late panic had been, that a large proportion of the small notes of country bankers, independently of those of the hundred banks which had failed, had been withdrawn from circulation, and the prohibitory measure, therefore, would be less strongly felt. The advocates for delay were called on to recollect, that even the existing law would, at the latest, put their favourite notes to death in the year 1833: that was the remotest period to which their flimsy existence could be protracted. That extinction would exactly coincide with the expiration of the charter of the Bank of England; and no person, whose opinion was entitled to the smallest respect, could maintain, that it was desirable that these should be contemporaneous events; and not one of those who pleaded for delay had pretended that the circulation of the small paper of the country banks should extend beyond that period, nor could any man do so, unless he were hardy enough to maintain, that it should be made perpetual and unlimited



in point of time. Delay, for whatever period, under whatever representations it might be granted, by whatever explanations or assurances it might be accompanied, and however it might be regarded in that House, would be viewed out of doors as the defeat of the whole measure, and a rejection of its principle. Moreover, who could answer that delay given for purposes of preparation would be so employed, and that it would not be used in taking serious and effectual steps to prevent the probability of a recurrence to cash payments, to render it impossible to resume the question, or, at least, to take it up on the same basis on which it now stands? The season, therefore, was as favourable, as the object itself was desirable. The alteration, indeed, would not directly and immediately put an end to our commercial embarrassments, which had principally arisen from the unwholesome and preternatural extension of commercial speculation; but it would have the effect of alleviating and preventing the recurrence of that distress, which, however it might begin with the higher, was sure, if not withstood in the outset, to find its way to the lower classes of society. It would be a step towards the fulfilment of the old benevolent wish, that every peasant should have a fowl in his pot; for the effect would be, that the labourer would find in his pocket a piece of gold, instead of a shred of (perhaps worthless) paper.

Mr. Brougham likewise supported the resolution, and strongly urged the inexpediency and the uselessness of any delay, when the work was already half done, in consequence of the general want of confidence having of itself greatly limited the issues of the country banks.

Mr. Baring moved as an amendment, "That it is the opinion of this House, that, in the present disturbed state of public and private credit, it is not expedient to enter into a consideration of the banking system of the country;" and, Mr. Canning having expressed a hope that the decision on the present motion would be regarded as decisive of the principle, as the sooner it was settled the better, the House divided: for the original motion, 232; for the amendment 39; majority 193. An amendment moved by Mr. Gurney to exclude the Bank of England from the operation of the resolution was likewise negatived by a majority of 66 to 9; and a similar amendment being again moved next day, on the bringing up of the report, on the mere allegation that, without small notes of the Bank of England, it would be impossible to fill up the vacuum occasioned by the withdrawal of the country paper, it was negatived without a division.

The overwhelming majority, by which the resolution was carried, promised that little opposition would be made to the progress of the bill for carrying it into effect, which was immediately brought in by the chancellor of the Exchequer; especially as many of those members who had voted against it, and even Mr. Baring himself, had declared, that, the principle having been once carried, it would be useless and unwise to offer any farther opposition. However much resistance sprung up in discussing the details; and, on more occasions than one, many of those, who had supported the general principle, found themselves ranged against ministers in regard to particular clauses which government pro-



posed, or which, when proposed by others, they deemed it necessary to resist. In particular, the prophecies of the opponents of the measure, that its instant effect would be, to contract the circulation, already too much curtailed, seemed to be finding some degree of accomplishment. In many places the country bankers, whether from considerations of mere prudence, or from unnecessary precipitation, or, as was sometimes insinuated, to excite prejudice against the bill by creating an artificial deficiency, had proceeded to withdraw their small notes from circulation with a haste which did not give time for something else to occupy their room; and the consequence was, that, in different districts, much difficulty was encountered in carrying on the ordinary transactions of life. To remedy this inconvenience, the chancellor of the Exchequer, on the 20th of February, when the House was in a committee on the bill, moved, that the Bank of England, instead of being limited like the private banks, to small notes stamped before the 5th of February, should be empowered to issue one and two pound notes stamped at any time prior to the 10th of October, thus prolonging the period, in the case of the Bank, for eight months. He stated that it was not intended by this, that the Bank of England should continue to issue small notes, after that power had been withdrawn from other banks; it was not his object to give that incorporation the power of retaining their small notes in circulation a moment after the lapse of three years. The proposal amounted only to this, that, during the next three years, the small notes of country banks stamped previously

to the 5th of February, should be issuable, and continue to circulate, but that the small notes of the Bank of England should be issuable, though dated subsequently to the 5th February, and up to the 10th of October. The effect of this would be, and the intention of it was, to enable the Bank to supply, for a limited time, and to a limited extent, any sudden vacuum which might be produced by the withdrawal of the country paper from circulation. There was in this neither danger to the currency, nor any contradiction of the principle of the general measure. Although there were no serious difficulties in the way of that measure, nor any thing which rendered its success even problematical; it would be wrong to be blind to the consequences which might follow, if the country paper were to disappear at once, without a temporary substitute having been provided. By the principle of the resolution itself, it was distinctly admitted, that some delay was necessary before it could be carried into full effect; it assumed, that the circulation of small notes could not be altogether dispensed with for three years; and, therefore, to allow the Bank of England to stamp them for eight months longer, they still being to be withdrawn at the end of the three years, was only a consequence of that principle, and necessary to make its operation complete.

The clause, as it met, in some measure, the objection to the bill founded on its alleged tendency to produce an injurious contraction of the currency, was supported by many who had resisted the general principle; while its opponents consisted of none but those who had voted for the original measure.



Their opposition rested on two grounds. The clause, they said, was inconsistent with the very principle of the bill; and the power, which it gave the Bank, would be so abused, or, at least, used, as to deprive the measure of all real effect. It was inconsistent with the principle, because it went to encourage an extension of the very evil against which that principle had been set up and asserted. When, on the moving of the original resolution, different members had pleaded earnestly for different periods of delay, ministers had very properly refused to procrastinate, on the ground that, at the expiration of any given time, we should be in no fitter a situation for making the experiment than now, and that the interval would not be employed in preparing for the change, but in rearing up new obstacles. But the very same reasons applied against the proposed clause; they were as good against eight months, as against twelve months, or two years. Again, this was to enable the Bank to counteract the whole measure, by giving them an unlimited power of stamping small notes to any amount, during eight months, and circulating them by all the means within its command. It would be the interest of the Bank to take advantage of this power, and there was no check by which their issues could be controlled. It would not do to say, that it was merely intended to enable the Bank to fill up any vacuum which might be made by the withdrawing of the country paper; for who could engage, that the Bank would confine itself within this limit, and not supply, likewise, that other portion, the existence of which was the sole object of the whole measure?

Moreover, if the plan for establishing branch banks were carried into execution, nothing would be easier than for the Bank of England to inundate every part of the country with one-pound notes.

These objections were met by Mr. Canning and Mr. Huskisson, who denied that there was any inconsistency between the clause now proposed and the principle of the original measure. It so happened, that the country bankers had acted doggedly in regard to the withdrawing of their small notes, and had, all at once, put a stop to their circulation, instead of spreading it over as long a period as was consistent with the proposed change. In such a case, it surely was the duty of the House to guard against the consequences which might ensue from a complete and simultaneous contraction of the currency to the amount of all the small notes in circulation: unless there were gold in readiness to rush in at once, by every channel, to fill up the vacuum, a most extensive stagnation of commerce must ensue. Should this take place, or rather, should it have already occurred, it would be neither more nor less than a recurrence of the crisis of December, which a prompt issue of Bank-notes under 5*l.* had remedied. The amendment was conceived in the spirit of the original measure, and no charge of inconsistency could lie against those who proposed or supported it: neither was there any better reason for supposing that the Bank would make an improper use of the power which was thus to be conferred. It was not the interest of the Bank to make an issue of this kind; and accordingly it had never been a favourite of the Bank, for it never failed to come back to



them in the form of a demand for gold: in point of fact, the Bank had completely withdrawn their small notes from circulation three years earlier than the period limited by law; they had possessed the power of issuing them for three years past, and yet had never exercised it, till last December, and then, too, not for their own emolument, but for the public benefit, and to stop the progress of the growing panic. Besides, it ought never to be forgotten that the Bank had made great efforts to establish a metallic circulation all over the kingdom, and had frequently brought large quantities of gold into the country—although it had returned, like the dove to the ark, finding no place of rest amid the deluge of paper money. These three facts, therefore, the recal of the one-pound notes by the Bank, when they might have kept them out for a longer period; the non-issue of them for three years, when they might have issued them; and their recorded efforts to supply the country with an adequate and well-established gold currency, furnished a sufficient guarantee, upon which to found as competent a judgment as the human mind could form of the probable course of human conduct.

The clause was then adopted by a majority of 187 to 24.

Various clauses were proposed in the committee. Mr. Maberly having moved as an amendment, "That the Bank do monthly publish an account of all notes issued by them in the preceding month, to the last day inclusive," the chancellor of the Exchequer was inclined to agree to it, in so far as the small notes were concerned, but could not consent to the imposition of

such an injunction in regard to their other notes. Mr. Hume immediately declared that he would interrupt the business of the committee by moving that the chairman report progress, and ask leave to sit again; and he told the chancellor of the Exchequer, that, unless some provision to the purport of that recommended by Mr. Maberly were introduced into the bill, he might be assured that it would not be allowed to pass yet for a week. In vain his own friends urged him not to persist in this unusual procedure, and Mr. Huskisson suggested to him the propriety of rather bringing in a bill to amend the bill now before the House, than interrupting it in its present stage. Mr. Hume answered them all with the observation, that they probably were not aware that he intended to propose the introduction of five new clauses into the bill, and to take the sense of the House upon every one of them. His motion was lost by a large majority, but as he still persisted in pressing his clause upon the committee, the chancellor of the Exchequer for the second time consented to an adjournment.

On the 27th of February, before the House went, for a third time, into a committee on the bill, Mr. Hume stated the nature of the additional provisions which he wished introduced into it. He protested *in toto* against the suppression of the small notes, because, if they were withdrawn from the circulation, they would require to be replaced by bullion; and, by so much, said he, would the capital of the country be reduced, and the power of giving employment to labour taken from individuals. If, argued Mr. Hume, the arguments in favour of the measure be good



for any thing, they should not have stopped at the small notes, but ought to have prohibited all notes, of whatever amount; not seeing that a metallic currency must be very differently affected by a paper currency of the same, or nearly the same denomination, which could supply its place; and by a paper currency of a denomination so much higher as necessarily to require the assistance of the metal for the ordinary purposes of life. It was in vain, he averred, to endeavour to impart solidity to banks, or security to their customers, unless one measure were adopted—a measure the non-adoption of which by ministers would leave upon them the responsibility of all the misery which might in future be produced by bank failures. This measure was, to compel every banker to make deposits, in the hands of parliamentary commissioners, equal to the amount of his issues. For the first year the deposit might be confined to the amount of his one and two pound notes; for the second, to the amount of his five-pound, along with the former; and, in the third, it should be extended to the whole amount of his notes in circulation. If, on presenting a note at a country banker's, he refused to pay it, the refusal ought to be certified by the nearest magistrate, and the commissioners should be authorized thereupon to sell a portion of the deposits in their hands, to discharge the claim. He, therefore, moved "That it be an instruction to the committee to provide for requiring from banks deposits (to be lodged in the Exchequer, or other proper office) equal in amount to the amount of promissory notes payable on demand, issued by them respectively."

It was difficult to see what con-

nection a provision like this had with a bill, whose only object was to secure the gradual withdrawing of notes of a certain kind; the purpose of the latter was to restore a metallic circulation by a partial expulsion of paper; the purpose of the former was to secure the reign of paper, to the expulsion of the precious metals. But this was not the only objection to which the provision was obnoxious. Its effect would be, to deter prudent persons from engaging in the banking business, for the whole amount of their capital would be locked up, and unproductive; and, as the banks were to enjoy no particular privileges, it was scarcely reasonable to impose upon them so severe, and so injurious a restriction. The example of Scotland, even with an extensive issue of small notes, proved that such security was not necessary. The experience of 1822 proved that few men would be disposed to establish banks on such a principle; and the bill, by compelling bankers always to have a large portion of their capital in gold, and to watch the occasions when gold might be required from them, was a much better security than consigning their real capital to inactivity. Lastly, it would put an end to deposit banks, that is, to almost every bank in the kingdom. Existing deposits would be withdrawn, and no new deposits would be made, because the real wealth of the banker was, in case of misfortune, to be applied to the payment of the holders of the banker's notes, and the makers of deposits were to be thrown back exclusively upon the mere fragments of his fortune, whilst the holders of his notes were secured in full payment—a distinction between creditors, equally unjust and impolitic. Mr.



Hume found only eight members to join him, the motion being rejected by a majority of 120 to 9.

An amendment to the effect that the Bank of England should make regular returns of the whole amount of their paper in circulation, and another, that the holders of country notes should have summary process of execution for their amount by the warrant of a magistrate, were equally unsuccessful; but a clause was added, providing, that from the 5th April, 1829, all notes under 20*l.* should be payable in specie at the places where they bore to have been issued. On the third reading, however, the extension of time in favour of the Bank of England, was again opposed; clauses, giving summary process on notes, and requiring from all bankers a monthly return to government of the whole amount of their issues, were again pressed, and again negatived; and, on the 7th of March, the bill passed, by a majority as large as that which had introduced it.

In the House of Lords, the opposition to the bill was less pertinacious than it had encountered in the House of Commons; and the grounds, on which it was attacked and defended in the former, were precisely those which had formed the topics of discussion in the latter. The earl of Carnarvon alone, who moved, on the second reading, that the bill should be read again that day six months (a motion which was negatived without a division) stated a new reason why an actual gold circulation ought to be kept as far from our doors as possible; viz. that a return to it would bring back the highwaymen of Bagshot and Hounslow. There was, he said, a much greater

temptation to commit robbery in the case of gold, than in the case of paper, because there were much greater facilities for escaping detection. It was easy to understand that there could not be so strong an inducement to crime, when the currency consisted in notes numbered, and signed with a known name, without which they had no value, as when it consisted of gold coin, which it was impossible to identify. This view of the noble lord was not original, for it had been enforced, with much humour, in certain celebrated letters which appeared about this time directed against the extension of the bill to Scotland. It was likewise worth considering, that the forgery of the small notes was a danger of the same kind, and one which had rendered necessary the sacrifice of, at least, as many lives to the law, as the more daring depredations of former times. But, finally, the connection, as cause and effect, between the disappearance of guineas, and the disappearance of highwaymen, was more whimsical than real. "I once," said lord Liverpool, "when I was a boy, suffered from a highwayman, and lost all the money I had upon me. It is, therefore, natural, that I should be as much alive to this danger as the noble earl: but still, with all my early associations, I cannot help thinking, that, if that danger must revive with a return to a metallic currency, it would have been felt during the last four or five years; for, during all that time, their lordships had been going about the metropolis and its vicinity, not with notes, but with sovereigns, in their pockets. The almost total extinction of highway robberies was to be attributed to the only thing which could either



check or extinguish them, the establishment of a powerful and effective police." It might have been added, that so far are the numbers and names on bank notes from being a terror to evil doers, that the most daring mail-coach robberies have been perpetrated, to get possession not of bags of sovereigns, but of bundles of bankers' notes.

While this measure for annihilating the existence of small notes in England was making its way through parliament, some difference of opinion sprung up in Ireland concerning the fitness of its application to that country; and Scotland rose, as one man, to resist its introduction into the northern part of the island. Ministers had declared, in both houses, from the very beginning of the discussions, that they did not intend, at the present time, to extend the proposed alteration to either of these portions of the empire; but they had likewise declared, that they could not see, on what principle different systems of currency should prevail on opposite banks of the Tweed, or how arrangements, which gave security in England, should not be equally beneficial in Scotland. This language evidently shewed, that the period could not be considered as far distant, when the small-notes of the currency of Scotland would likewise be attacked; and, as Scotland had never known any other currency than a paper currency, and had become wealthy and prosperous in its enjoyment during more than an hundred years, she arose with earnestness and vehemence in its defence. Seldom has any political measure called forth so strong and so universal an expression of public opinion. In every city, and in every county,

public meetings were held to deprecate the destruction of the one pound, and guinea notes; men of all parties threw aside their differences, and men of all ranks forgot their inequalities, to raise one unanimous outcry against the threatened introduction of gold at the expense of paper; and merchants, manufacturers, bankers, shop-keepers, and even artizans, joined heart and hand to resist the innovation. During the discussion on the bill regarding England, the tables of both houses of parliament were nightly loaded with petitions from public meetings, and from all the great commercial bodies of Scotland, setting forth the benefits which that country had so long derived from its banking system, the perfect security of the foundations on which it stood, and the evils which would inevitably result from every attempt to give it a new and an untried form.

It was both prudent and becoming in parliament to pay respect to the anxiety and unanimity with which these opinions were expressed; especially when coming from those who best knew the real nature, and practical effects, of the system. The grounds, too, on which the united interests of Scotland took their stand, were evidently deserving of much consideration, and consisted of facts notorious to the whole empire. The unequalled progress, said they, which Scotland has made in every branch of industry, has been principally owing to her banking establishments as at present conducted. Previously to their institution, money was so extremely scarce, that the Scottish parliament made various enactments to encourage the importation, and restrain the exportation, of specie,



but made them in vain. In fact, the commencement of prosperity, and of commercial enterprise, in that country, had followed immediately on the erection of the Bank of Scotland in 1695, and had extended itself with the establishment of the royal bank in 1727. The increase of a circulating medium thus produced, had given so successful an impulse to the spirit and industry of the people, that the trade of Glasgow alone had doubled in fifteen years after the first establishment of banks there, and, in 1776, the trade of the whole of Scotland had more than quadrupled since the first erection of the Bank of Scotland, and the royal bank; and all this without any symptom of rottenness, without any of the ruinous results of over-trading or wild speculation, without any vicissitudes, except such as are inseparable from trade, or were the direct consequences of political events. This system, with an increasing number of banks, had continued down to the present day, extending the same benefits, and commanding the same confidence. That this confidence was deserved was sufficiently demonstrated by the fact, that, for more than a century, a bank-failure had been a rarity; that, amidst the convulsions which, at different periods, had shaken or thrown down the English banks, those of Scotland had stood firm; and that even during the late panic, when every morning brought intelligence of the insolvency of an English bank, not one of those establishments in Scotland had been doubted for a day, or for one moment exposed to a run. The ordinary traffic of the country had hitherto been conducted almost entirely through the medium of one-pound

notes and silver, and any innovation on the practice would be hostile to the habits and inclinations of the people. The removal of small notes, and the obligation on the banks to provide gold, would, it was averred, materially diminish their ability to accommodate the public, particularly in times of pressure, when their aid was most required; and that the hardship of imposing on Scotland the necessity of maintaining a metallic currency would be increased by her distance from the capital, and the consequent risk and cost of conveyance. They denied that the state or history of the currency of England furnished any analogy from which to argue to that of Scotland. The small-note circulation of England was but of recent origin, and her regular currency had been gold; in Scotland, it had existed before the Union, and had continued, without interruption or mischief, down to the present time. In England, no private bank could consist of more than six partners, and the capital of such establishments was therefore limited; in Scotland the number was indefinite. In England, there was no check upon over-issuing; in Scotland, such an occurrence was prevented by the reciprocal exchange of the notes of all the banks twice a week, and by the immediate settlement of the balances either in cash, or short-dated drafts upon London.

These differences between the systems of the two countries, and the undeniable difference between the effects of the two systems, formed good reasons why parliament should pause, before extending to one part of the island the plan which had been adopted in the other. Accordingly, select



committees were appointed by both Houses, to inquire into the state of the circulation of small notes in Scotland and Ireland, and to report upon the expediency of altering the laws regarding it. The only opposition made to the appointment of these committees, in so far at least as they concerned Scotland, was, that they were unnecessary; that the system was confessedly so secure, and so nearly perfect, that inquiry was superfluous. A number of Scottish merchants, manufacturers, and bankers, were examined; and the reports of the committees, which were presented to both Houses towards the end of the session,\* justified the resistance which Scotland had made.

There could be no doubt, said the committees, on general principles, that it would be desirable to have the same system of currency established throughout the United Kingdom; but still there might be obstacles to such an uniformity of system, which would render it impracticable, or, at least, bring with them inconveniences more than sufficient to counterbalance its advantages. From 1766 to 1797, when no small notes were issuable in England, the currency of Scotland, for payments under 5*l.*, had consisted almost entirely of notes for 1*l.*, and 1*l.* 1*s.*, and this difference in the currency of the two countries had not been known to produce inconvenience to either. It had been proved to the committees, that the Scottish banks, whether chartered, or joint-stock companies, or private establishments, had, for more than a century, exhibited a stability which the committees believed to be un-

exampled in the history of banking—had supported themselves from 1797 to 1812, without any protection like that which the restriction of cash payments had given to the Banks of England and Ireland—and that, during the whole period of their establishment, there had not been more than two or three instances of bankruptcy.

As stability so well proved did not seem to justify any alteration, so the committees were apprehensive that a prohibition of small notes would be injurious to one branch of the Scottish system which it was of the utmost importance to preserve, viz. the giving of cash-credits. Any person, on applying to a bank, and finding proper securities, after a full inquiry into his character, and the nature of his business, was allowed to open a credit, and draw upon the bank for the whole of its amount, or such part of it as his daily transactions might require; paying in again, to the credit of this account, such sums as his occasions might not require, and being charged, or receiving, interest, according as the daily balance was for or against him. The total amount of these cash credits was five millions, of which about one third had been actually advanced. The advantages arising from them to the banks consisted in the call thus produced for their paper, which generally came back twice a-week, and in the opportunity which they afforded for the profitable employment of part of their deposits; while the facility thus given to persons, who begin business with scarcely any capital but character, to employ profitably the minutest products of their industry, undoubtedly bestowed

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\* See Public Documents, p. 64\*



most important advantages upon the whole community. All the witnesses had agreed, that, if the circulation of small notes were prohibited, the Scottish banks would be compelled to put a stop to these cash-credits, and likewise to abandon their branch-banks in remote districts of the country, which would thus be left without a circulating medium. At the same time, the directors of the Bank of England had given it as their opinion, that the continued circulation of small notes in Scotland and Ireland would have no injurious effect on the metallic circulation of England, provided these notes were confined within the boundaries of their respective countries. The committees, therefore, recommended, that the paper money of these parts of the empire should not be meddled with. Some members, however, of the House of Commons, being apprehensive that a metallic currency in England could not exist with a small-paper circulation in Scotland, sir M. W. Ridley moved a resolution, that the House, in the course of next session (though it was well known that parliament was about to be dissolved), would institute an inquiry as to how far the interests of England and Scotland were likely to be affected by the existence of different systems of currency in the two countries, and to ascertain whether any, or what, means ought to be adopted, to assimilate the currency in both. The motion was negatived without a division; and thus Scotland was left, for the present, in possession of that system of currency, under which her commerce, her manufactures, and her agriculture, had so long flourished.

While the fate of the small

notes of Scotland was still undecided, public attention was extraordinarily excited by a series of letters directed against the dreaded alteration, which appeared in an Edinburgh weekly newspaper. The style in which they were written made the first impression, and it was fixed deep by the name of the author, as soon as they were known (and they were soon known) to be the productions of sir Walter Scott. If they did not display great profoundness in political economy, the opinions which they contained were put forth with what appeared to most people invincible sound sense; but, in reality, they deserved attention principally as pieces of composition. Hastily thrown together, and therefore, marked sometimes by a homeliness of expression excellently suited to its purpose, the richness and aptness of illustration, the adaptation to national prejudice, the dramatic variety, the dry and pithy jokes of Malachi Malagrowther (for under this name did the author write) produced in Scotland a sort of similitude to the period of the Drapers Letters in Ireland; and, in the opinion of his countrymen, placed the civic garland on the head of the author of Waverly, beside the laurel wreath which he had so long worn. He discovered, or thought he discovered, in the conduct of England towards Scotland for some years back, a design to contemn and affront the latter, for the sake of establishing a chimerical system of uniformity; and one proof of it he found in the removal of her separate Board of Customs, to consolidate it with that of England. He talked, too, very merrily, of the danger of sending chests of gold through Highland glens, and the proba-



bility of its creating a new race of Rob Roys—just as lord Carnarvon, after him, predicted in the House of Peers, the formation of bands of highwaymen round London from the same cause. But the greatest honour paid to these epistles was, the notice taken of them even in parliament, as dangerous productions. The jokes of sir Walter Scott were actually treated by some members as incentives to rebellion; and senators gravely averred, in the House of Commons, that, not many years ago, they would have subjected him to condign punishment. Nay, even the chancellor of the Exchequer, thought himself bound to notice them, and, when opening the budget on the 13th of March, struck at Malachi Malagrowth, in a rather eloquent and imposing passage, whose periods, more as a compliment to the man, than from respect to the subject, were perhaps better turned than the dignity of the matter required. “According,” said the chancellor of the Exchequer, “according to a celebrated production which has appeared in the northern part of the kingdom, the destruction of the independent Boards of Customs and Excise in Scotland, and their consolidation with the central Board, are considered by every true Scot to be derogatory to the national dignity, offensive to the national pride, and subversive of the national rights. When Antony makes his beautiful speech over the dead body of Cæsar, and exclaims, ‘O, what a fall was there, my countrymen,’ the appeal was not more passionate or energetic, than the appeal made in the letters to which I allude, against the author of that woeful tragedy which terminated in the extinction

of two miserable and insignificant fiscal departments! When I first heard of this extraordinary production, I was really apprehensive that I had been countenancing some undefined wrong against Scotland. When I met my noble friend at the head of the Admiralty, or any of his honourable colleagues at that board, I hardly dared to look them in the face. At last it occurred to me, that I had Scottish blood, and good old Scottish blood, too, in my veins; and that my conscience had never charged me with any attempt to diminish the honour which I experienced from my connection with that ancient country, and its ancient nobility. When, too, I recollected all the signal triumphs of Scotland in the various intellectual pursuits of the human race; when I remembered the originality and genius of her poets, the eloquence and accuracy of her historians, the elaborate lucubrations, and profound reasonings of her philosophers: when, in addition to these, her brilliant excursions over the regions of fancy, of history, and of science, I adverted to the noble efforts which she had made, in the field and on the ocean, in maintaining the glory and independence of the empire; when I recollected the names of Abercromby, of Moore, of Lynedoch, and of Hopetoun, and that, only two years ago, I successfully proposed to this House, to do tardy justice to the name of Duncan; when I dwelt in imagination upon all these things, I could not for a moment continue to believe, that the honour of Scotland was tarnished by the transference of a paltry Board of Customs or Excise from Edinburgh to London. I had always thought that that honour



was established on a much more solid basis, that the great names of Scotland would still have shone with perennial light, though Excise had never meddled with her whisky, nor Customs controlled her commerce. I believe that the memory of her great men will continue to shed undiminished honour on their country, even although the two wretched boards of revenue have been swallowed up—oh, dreadful calamity! in the all-devouring vortex of English uniformity; but I will not believe that the honour of the ancient lineage of Scotland is so debased,

that they would condescend to complain because government has less patronage to bestow, and because they have less emolument to expect and to receive. All the punishment that can proceed from the wrath of an offended people may be denounced against me; but while I have the satisfaction of feeling, that the measures which I have recommended have diminished their burdens, I dread not the flashing of that highland claymore, though evoked from its scabbard by the incantations of the mightiest magician of the age."



## CHAP. II.

*Arrangement with the Bank of England—Bill brought into the House of Lords to enable private Banks to have an unlimited Number of Partners—Clause introduced authorising the Bank of England to establish Branch Banks—Discussion on the Propriety of relieving the existing Distress by an Issue of Exchequer Bills—The Bank agrees to advance Money upon Security—Bill to enable Factors holding the Documents of property in Goods, to pledge them to the Bank as effectually as if they were the real Owners—Appointment of a Committee on Emigration.—CORN LAWS: Mr. Whitmore's Motion—Bill to allow the admission of Bonded Corn into the Market—Bill to authorise Government to Import a limited quantity of Foreign Grain during the Recess—Mr. Ellice's Motion on the State of the Silk Trade—Petitions concerning the Navigation Laws—Mr. Huskisson's Statement of the Effects of the recent Alterations in these Laws—Relaxation of the Navigation Laws in favour of the new South American States.*

THE measure for suppressing the circulation of small notes had been conjoined, in the statements of ministers at the opening of the session, with another expedient, the purpose of which was, to render unlimited the number of partners who might legally unite as partners to form a bank. To gain this end, it was necessary to interfere to a certain extent, with the charter of the Bank of England; for, by the privileges of that corporation, no private banking company could consist of more than six partners, a limitation which had sprung from apprehensions that large co-partnerships might tend to exclude the Bank from its paramount influence in the pecuniary transactions of the country, and which rested on the same principle that had induced the incorporated insurance companies to purchase from parliament the power of preventing the formation of any rival

company for similar purposes. The consent of the Bank, therefore, was required, even to the introduction of this measure; for parliamentary omnipotence is never more imprudently, and, in most instances, more unjustly, exerted, than when it violently wrests legal rights from the unwilling. Accordingly, in the month of January, government had entered into a negotiation with the Bank-directors, stating generally the wish which they entertained to restore a metallic circulation, and to establish private banks on a more solid foundation. One measure, the directors were informed, by which the former object might be in part attained, was the establishment, by them, of branch-banks in different parts of the country; but government stated their conviction, that such establishments could not be erected in sufficient numbers to answer the demands of the community. There



remained another expedient, that of allowing private banks to increase the number of their partners indefinitely, and thus to establish them on a basis so broad as to give the country, at all times, a confidence in their solidity, like that which had so long existed in Scotland. The minister pressed earnestly upon the directors, how little they would lose, and how much the public would gain, by the surrender of their particular privilege. Their notes, they were told, did not circulate beyond a certain limited space round the metropolis, excepting, perhaps, in Lancashire. So long as the country establishments continued upon their present footing, a smaller or greater degree of temporary difficulty, and of necessity for temporary exertion, must always be experienced by the Bank, whenever the exchanges were unfavourable; and, therefore, by giving increased stability to the former, it would secure itself against much occasional embarrassment.

The answer of the directors was unfavourable. It bore, that they could not consent to recommend to the proprietors the surrender of any privileges sanctioned and confirmed by so many acts of the legislature. In return, the Treasury would not admit the right of the Bank to ask compensation in the shape of new privileges, for what they were required to give up; and, at the same time, informed the directors, that, if conditions were to be proposed, it was from them that they must come. The directors now required, that the Bank of England should be placed upon the same footing as the Bank of Ireland, by extending its exclusive privileges to the distance of sixty-five miles round the metropolis. This stipu-

lation was agreed to; and, on the day after parliament had assembled, a general meeting of the proprietors was held, for the purpose of confirming or rejecting the proposed arrangement. Opinions were much divided. One party strongly maintained, that the proposition had nothing equal in it; that the anxiety of government to obtain the concession proved it to be of value, and that therefore it ought not to be made without some acknowledgement; that all the benefit would accrue to the country at the expense of the Bank, and that, when thus required to lay open their charter, and surrender their rights for the public good, it was unjust to call upon them to do so without compensation. Those who supported the arrangement, rested chiefly on the ground, that all the exertions of the directors to bend government on the point of compensation had been, and would be, unavailing; that the concession would not affect the real interests of the Bank; and that, if, at any future period, they should apply for an extension of their charter, they would be enabled to do so with a better grace, and on the ground of stronger merits, if they yielded now. At the close of the discussion, the arrangement was approved of almost unanimously.

That the measure founded on this arrangement might go on simultaneously in parliament with the small-note bill, the act for enabling private banks to consist of an unlimited number of partners, was introduced in the House of Lords. The first discussion upon it took place, on the occasion of lord Liverpool moving the second reading (17th March); but the discussion, almost entirely forgetting the specific proposition before the



House, was principally devoted to general disquisitions on the history and fluctuations of the currency, the sources of the existing distress, the other remedies which might be applied, and the conduct and influence of the country banks. Lord Liverpool, while he admitted that the measures which government was now carrying through were far from being perfect, and, in some individual details, might even be thought hard ones, begged the House to recollect, that the chartered privileges of the Bank of England stood in the way, and prevented government from going farther. Government, he had no hesitation in saying, ought to go farther, and would go farther, but, at the present moment, it could do no more. The law as to the constitution of banks was absurd and ridiculous in its nature, futile in its construction, and dangerous in its effects; but it had gradually grown up into what it was, and could be reduced only by time and trouble within reasonable dimensions or sound proportions. One of two systems might be adopted. One was, to allow only a limited number of banks, or to exact from such as were permitted to exist, securities for their solvency. This was in itself a wise and salutary system, and might be profitably followed, if circumstances would admit of its adoption. It prevailed in Massachusetts, one of the most settled and best-established states of America. That state allowed only twelve chartered banks; and so soon as any one of them became unable to pay in specie, its charter was forfeited. The other system was one of unlimited liberty, which was thought to be less objectionable in itself, and to gain equally the same end; because, when all re-

striction was removed, the solid and more extensive banks would not fail, in time, to expel the smaller and weaker. In London, for example, no paper circulation existed, except that of the Bank of England. Yet this was not the effect of law, for no enactment prevented private bankers from circulating their own paper; but they knew, that, if they issued notes, these notes would immediately be presented for gold, or Bank of England paper, and, therefore, they declined the issue of them altogether. But in this country, the free and the restricted systems were united; we were in a state of restriction as related to every thing good and substantial—in a state of liberty as to every thing rotten and bad. The law said to any shop-keeper, however limited his means, “you may establish a bank;” but, to persons of capital, willing to engage in a similar undertaking, it said, “your company shall not consist of more than six partners.” We ought either to impose wholesome restrictions, or leave banking in full and complete liberty; and the present measure was an approach towards a system of the latter kind. It might, no doubt, be represented as a half measure. Imperfect it certainly was; and imperfect it must remain, till the country should be freed from its engagements with the Bank, or the Bank should step forward to release the country from such parts of its charter as impeded the establishment of a substantial system. It would be short-sighted in the Bank of England to imagine, that its interests were engaged in retarding this desirable consummation. If the Bank were to limit the circulation of its notes to London and the



vicinity, no banks now existing, or hereafter to be created, could interfere with its prosperity; while such a step would be attended with incalculable benefits, and would enable government to place the banking system of the empire on a more secure foundation.

The Earl of Lauderdale opposed the bill, and said that it was impossible to trace the late, and the existing embarrassments, to any excess of paper currency, or to any speculations arising out of such an excess; and that there was no circumstance connected with them which might not as well have occurred, even if the circulation had contained as much gold as ministers now seemed to desire. Their true origin was in the state of the money market, and in the fall in the rate of interest, which, from the anxiety to employ money profitably, naturally led to speculation and overtrading. The commissioners of the Sinking Fund purchased annually about 5,000,000*l.*: every visit they made to the Stock Exchange threw additional capital into the market, created an increase of employment, and a rise of prices; for the inevitable effect of the operation of the Sinking Fund was, the noble lord maintained, to diminish the interest of capital. Such an influx of capital resembled the coming of a lottery prize of 30,000*l.* into a country town; it animated the whole district with a rage for scheming and speculation; and both argument and authority shewed, that to this cause the existing difficulties of the country must be, in a great measure, if not altogether, ascribed. The proposed remedy, therefore, by allowing banks to consist of an unlimited number of partners, would not be efficient, and was not necessary.

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It would not be easy to form such establishments; for people, in general, would be averse from engaging in speculations, in which every one would be liable jointly and severally to the last shilling of his fortune. It was natural that a bank consisting of a few partners, each of whom could attend to some department of the business, should be better conducted than a more unwieldy establishment, the most interested members of which were sleeping partners; and it could not be doubted, that, badly-managed joint-stock banking companies would produce as much mischief and misery, as any system of currency, however vicious. The example of Scotland proved demonstrably how unnecessary it was to seek for security in a large number of partners. Scotland possessed thirty banks; of these seven were chartered banks; of the remaining twenty three, only seven were joint-stock companies, and the rest, with one or two exceptions, did not consist of more than four, six, or eight partners. Yet the solidity of the latter had never been more questioned than that of the former; their notes were as well established in circulation, and they had stood the storm with as much vigour. He could not conceive it, therefore, to be just, or necessary, or expedient, to interfere in the present state of the country, with the exclusive privileges of the Bank of England. Lord Ellenborough, likewise, could not anticipate much good from joint-stock companies; and expressed his apprehensions lest, in 1833, when the Bank charter would expire, great embarrassment, as to the course which it might be deemed advisable to pursue, should arise from the existence of these establishments.

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In the committee, lord Liverpool called the attention of the House to the expediency of inserting a clause, authorizing the Bank of England to establish branch banks throughout the country. There was no doubt that such a power was vested in the Bank by their charter ; but a question had arisen as to the extent of discretion with which they could clothe their agents. He did not think the establishment of branch banks would take place to any great extent ; yet it was but right and prudent to give the Bank the opportunity of trying the experiment. He therefore proposed a clause allowing the Bank of England to carry on branch banks for the purpose of issuing cash notes, and bills of exchange.

The adoption of this clause rendered another proviso necessary, viz. a clause making the notes issued by the branch banks payable at the place where they were issued ; for, to lay individuals under the necessity of bringing or sending their bank paper to London, before receiving gold for it, would be both inconvenient to the public and discreditable to the Bank. Something of this sort had recently occurred in Ireland. The Bank of Ireland had established branch banks in different parts of the country ; a number of its notes had been presented at these new establishments to be exchanged for coin, and, for a while, were paid in coin, till the Bank, finding this inconvenient, refused to pay any where but in Dublin. The consequence was, that some of the notes were protested, and legal measures adopted to recover the amount. Being satisfied, however, that the contract expressed on their notes being a general one, they were bound to pay wherever they

had agents, they had recourse to another expedient : they made an alteration in their notes, by inserting the word "Dublin," thus limiting the payment in specie to that city alone. Moreover, as the country banks were to be compelled to pay their notes in gold at the place where they were issued, it would be invidious not to lay the same obligation on the branch banks. The only difficulty was, that it would be necessary for the Bank so to frame its notes, as to ascertain at what particular place they had been issued : otherwise a person taking a note to a branch bank might be told, that it had not been issued there, and that there he could not have gold for it ; but this obstacle, it was suggested, might be surmounted by the Bank adopting a note of a particular description for each of its branches ; and perhaps to give the notes this local character, would tend to lessen in some measure the inducements to forgery. Lord Liverpool readily assented to the proposed clause, both because he thought it likely to prove a check on over-issues by the Bank, and because it was necessary to take every precaution to prevent the possibility of discredit being thrown on any of these branch establishments ; for the slightest imputation on the security of a branch of the Bank of England would be attended with far more serious consequences than even the failure of a private bank.

A greater degree of opposition was manifested to the bill, when it came down to the House of Commons. It was there resisted both by those who were hostile to the whole system on which ministers were proceeding, and by those who were over-chary of the privileges of the Bank. The clause, it was said,



which enacted, that no joint-stock banking company should carry on business within a certain distance of London, would be successfully evaded. The Bank of Ireland was fenced by a similar protection in regard to notes under 50*l.*; but the private banks rendered it nugatory, by appointing, as their agents, bankers resident in Dublin, as if what they did by an agent were not as illegal as if they had done it themselves. The scheme, likewise, it was argued, would give encouragement to those who, from time to time, enriched themselves by preying on the credulity of the public, and who had never been more successful in their nefarious pursuits than they had lately proved under this very form of joint-stock associations. The country would be inundated with unsubstantial paper; the notes of the country bankers would become mere local tokens; the branches of the Bank of England, free from all the disadvantages to which country banks were liable, would monopolize the paper circulation; and it would only be fair, therefore, to postpone the measure, until the privileges of that body had expired with its charter. To this it was answered, that the possibility of improvidence being seduced, or knavery tempted, to do what was foolish or dishonest, by any facilities which this measure might afford, could be no reason for rejecting it, when it would so certainly be productive of general and essential benefit to the country. It was acknowledged on all hands, that the Bank alone was insufficient to manage all the money concerns of the country; and the question then was simply, since other banks we have, and must have, in what lies the magic of the number six, as applied to the

members of these necessary establishments? No doubt, there were still restrictions in the bill which it would be difficult to justify on any sound principle; but to remove these required a farther surrender on the part of the Bank; and government had been unable to obtain more extensive concessions than the present bill contained. Although, however, the bill was not what it otherwise would have been, it would be unwise not to avail ourselves of the facilities yielded to us, so far as they went.

Someslight alterations were made in the bill, and were agreed to by the Lords. The bill then passed; and, in virtue of the powers conferred by it, branches of the Bank of England were soon after established in some of the principal trading and manufacturing towns, while the ordinary banks, which had escaped from the hurricane, were rapidly regaining confidence and composure.

But, while these two leading measures of government, in which they had received fully as much support from their customary opponents, as from their habitual friends, bade fair to give new security to the pecuniary arrangements of the country for the future, the ministers could not be blind to the widely-spread distress of the present. The total want of demand for manufactures and labour had suffered little diminution; and, in the city, above all, the absence of money, or rather the absence of that confidence, without which gold lurks as closely concealed as when buried in its native veins, kept the whole current of commercial transactions in stagnation. An expression in the communication from the Treasury to the Bank, regarding the surrender



of part of their charter, that "the panic had subsided, and confidence was nearly restored," had been severely animadverted upon in parliament; and ministers were twitted with it, night after night, as displaying great ignorance, not only of what was passing all over the country, but especially of the situation of the metropolis itself. From the opening of parliament, the mercantile classes had expected that government would take some immediate step to give them present relief, and applications to this purport had been made at the Treasury. The scarcity of money was the evil complained of, and an issue of Exchequer bills was the remedy generally pointed out; but government had resolved not to lend itself to a system of artificial relief for a disease which they thought would better cure itself without their interference. They had expressed themselves willing, indeed, to keep the Bank harmless to the extent of two millions, if it should think proper to go into the market, and purchase Exchequer bills to that amount; but no definitive step had been taken, when Mr. Wilson, one of the members for London, brought the subject before the House of Commons (February 23rd), on the occasion of presenting a petition from the merchants, bankers, and traders of the city, praying the House to take into its consideration the present commercial distresses. He assured the House, that, so far from distress having disappeared, or danger passed away, every day displayed new victims; and the privations and difficulties of even the last week, had brought many to the ground. The representations made to ministers had been fruitless; they had made up their minds to

grant no relief, and had referred the merchants to the Bank, who had it in their power to advance money on the security of goods, a resource which, he said, no merchant could adopt without bringing a stain upon his credit. He vindicated the merchants from the aspersions which had been cast upon them, as having produced the present calamities by their own imprudence, and a fondness for speculation, reckless of consequences. With the ephemeral schemes of the preceding year, the merchants, as a body, had had no more connection than other people, and, in many cases, much less. It was notorious that these bubbles had been the creation of a few scheming attorneys, and idle and needy speculators; not of the real merchants of London, who now, from mere inability to convert their securities into money, were trembling on the brink of ruin; and these bubbles had been as keenly pursued in St. James's street, as they ever could be in the alleys of the city. Even the imprudent speculator was often a man worth saving, if not on his own account, at least on account of others with whom he was connected in agricultural, commercial, or monied interest. The merchants, in general, were far from deserving to be harshly told, "some of you have over-traded; some of you have speculated rashly; therefore the whole body must be content to suffer, and suffer on, till every thing finds its own level." He was not pleading the cause of gambling share-holders, but of a class of individuals, who, from the general want of confidence that prevailed, and particularly among the banking part of the community, were suffering under a pressure which could not easily be described,



but whose sufferings, if not relieved, would describe themselves in a way which the House would not be able to misunderstand. All that was required was an issue of Exchequer bills—a measure which on former occasions had been often adopted, to relieve temporary, but general embarrassments, and which, on no occasion, had either failed in its object, or been productive of inconvenience to the government. He gave notice that on the 28th he would move that the petition should be referred to a select committee.

A long discussion followed, in which the same views were taken, and the same sentiments expressed, by almost every member who spoke; and Mr. Canning and the chancellor of the Exchequer found themselves deserted even by some of their firmest adherents. The strongest position taken against them assuredly was, not so much the threatening appearance of the mercantile horizon, which no man could deny, as the fact that the particular preventive measure urged upon their attention was one of tried efficacy, justified by the sanction of great names, and one which the country had been too much accustomed to regard as a never-failing resource in evil times. Many, who had the evil before their eyes, would have allowed it to take its way, if it had been necessary to search for a remedy; but when they saw at hand what they believed to be a known specific, they readily joined in the wish that it should forthwith be administered, that they might escape, with all speed, from a painful spectacle. But, although ministers did not enter at large into the question, which would more properly be discussed on the motion for appoint-

ing the committee, they did not shrink from firmly announcing the principles on which they had acted in refusing the various applications which had been made them, and on which they were determined still to oppose them. Convinced that the proposed measure was erroneous in principle, and mischievous in practice, tending to produce, even by its temporary efficacy, a future recurrence of the same evil, and an improvident trust in the constant interference of government, when other and safer cures could be applied, they refused to accede to that, as a popular expedient, which their knowledge informed them was not necessary, and which their deliberate judgment taught them to reject as in itself prejudicial to the interests of the community.

The most provoking, the most unmanly, the most unjustifiable weapons of their adversaries, were the insinuations thrown out that the resistance of government proceeded from cold-blooded insensibility to the misery which prevailed, and the danger which threatened. “For myself,” said Mr. Canning, “and my colleagues, I totally disdain to answer such imputations. I impute to no man who now hears me, that he is so insensible; but for others to impute to those upon whom every day and every night care and anxiety are brought by the consideration of these distresses, in addition to the common sympathy in which they share as men, is to impute to them not only a want of feeling, but a want of sense that would unfit them not merely for the situations they fill in the government of the country, but to appear here, in the midst of those among whom they have the honour to sit.”



The unanimity, however, with which all parties seemed to urge the necessity of providing some measure of relief for the mercantile interest, rendered it impossible for government not to lend its aid to any arrangement which did not require its immediate interference. Although determined to resist the issue of new Exchequer bills, even upon securities, lord Liverpool had already stated, in the House of Lords, that, if the Bank would go into the market, and purchase a certain amount of Exchequer bills, government would keep them harmless to the extent of two millions. The effect of these purchases would be, to bring forth an equal quantity of currency, and thus remove the stoppage of mercantile movements which only the want of that currency had occasioned. To this, however, the Bank would not consent, and seemed to be fully as unwilling as ministers to involve themselves by any extraordinary interference. But, between the day on which Mr. Wilson presented the city petition, and that on which he had given notice of a motion to refer it to a select committee, the force of public opinion, joined to the increasing agitation of the mercantile interests, persuaded government, that it was necessary to have recourse to some expedient, and convinced the Bank, that it would be prudent to comply, as far as they could, with the wishes of government. Besides the powerful voice of the city, deputations had arrived in London from Liverpool, Leeds, Glasgow, and other important manufacturing and trading districts, all calling upon government to give its aid in removing, or relieving the existing pressure. It was not the want of

substantial wealth, or good securities, which occasioned the evil, but the inability to convert that wealth into money. Many a merchant had his cellars and warehouses filled with merchandize, which, in ordinary circumstances, would have justified him in thinking himself a rich man; and yet, from the universal distrust which prevailed, and the complete prostration of almost every branch of traffic, he found himself unable to meet his ordinary engagements. The arrangement made with the Bank was, that the Bank should make advances to private individuals upon the deposit of goods, merchandize, and other securities; but the whole sum to be advanced was not to exceed three millions. Commissioners were appointed to carry the arrangement into execution in the principal commercial districts; the gloom began to disperse, and confidence to return.

Yet the applications for assistance were far from being so numerous as might have been expected from the loudness and unanimity of the cries for relief; and, at some of the provincial stations, the office of the commissioners was almost a sinecure. In truth, where the reigning misfortune is want of confidence, such an expedient destroys, in a great measure, as soon as it is taken, the reasons which made it necessary to take it at all. The knowledge that a public fund exists ready to advance money to those who can furnish substantial deposits, infuses a similar confidence into private individuals; and when one body celebrated for prudence and caution has led the way in trusting its neighbours, others are gradually encouraged to follow in the same path, and return to their ordinary sources of gain.



The information that government had come to an arrangement with the Bank having been communicated to the House of Commons, before the motion for referring the City petition to a committee had been made, that motion was withdrawn by Mr. Wilson; but both on this, and on some other occasions, the merits of the plan which had been adopted, and the superior efficacy and expediency of an issue of Exchequer bills directly by government, were discussed at great length. The general voice had, beyond doubt, been in favour of the latter measure, and it was supported by the authority of precedent and experience; yet the reasons why ministers rejected it, and preferred the interference of the Bank, rested on sound policy. It was bad, they said, in principle, because government was going out of its sphere when it intermeddled, in a pecuniary view, with the commercial interests of the country, and became a liberal banker, as it were, or a generous, and not very inquisitive, lender. To hold itself forth, likewise, as ready, on the occurrence of any general embarrassment, to pour forth its funds for the behoof of the involved trader, was, in reality, to offer a premium to improvidence, and seduce individuals to rely more on the relief which they might obtain from government, than on their own friends, their own prudence, or their own exertions. When the agricultural interests were suffering under a similar pressure, they made a similar demand: it was refused, not from any difficulty in the execution, but from objection to the principle; and if it were now granted under a commercial pressure, how could it ever again be denied? The very fact that the

Bank charter empowered that body to make advances in the way which was now proposed, proved that it had been foreseen that circumstances might arise, in which it would be proper and desirable to exercise that power, and on the Bank would depend all the efficacy even of an issue of Exchequer bills. The commissioners for superintending that issue might direct the funds placed at their disposal in the way best calculated to relieve the public; but this would be of no avail, if the Bank refused to cash the securities which the applicants received. If the Bank refused them, it was not to be expected that any other banker would accept them; and if nobody took them in, then, besides having failed to increase the quantity of circulating medium, they would add to the already over-stocked market of Exchequer bills—fall to a discount—be received at a premium by the Treasury—and thus necessarily render the revenue of the country less capable of meeting the demands upon it. The question would be different, if relief could be afforded in no other way; but the Bank itself, a mercantile establishment, was able and ready to do all that was necessary to be done to assist mercantile men, and would do it far better than it could be done by the government of the country.

To the objection, that, in advances made by government commissioners, the transaction itself, and the necessary inquiries attending it, were conducted with a degree of secrecy most desirable to the continued credit of the merchant, while the arrangement which had been adopted would expose his affairs and his difficulties to the gaze of the whole body of Bank



directors, and their commissioners throughout the country (who, in general, would be fellow merchants of the applicants) it was answered, that the commissioners for issuing the Exchequer bills in 1793, the precedent on which the friends of such a measure principally relied, were merchants of the City, with two exceptions, and three of them were Bank directors. Besides, it would be only what took place every day at the Bank, to which merchants were constantly repairing with bills and securities, for the purpose of obtaining cash. The Bank did not accept such securities without ascertaining the credit and respectability of the parties; and what greater danger was there of injury to individual credit in the one case than in the other? There was nothing to be ashamed of: the necessity of relief was already proclaimed; the applicants were solvent; they had property to the full amount of the demands upon them; they did not ask credit merely on personal security, but they gave for it more than its amount in solid value; and the best proof that mercantile men themselves harboured no such apprehensions, lay in the fact, that the different deputations from the country had expressed their unanimous satisfaction with the arrangement which had been adopted.

Again, the argument drawn from former issues of Exchequer bills to some similar ends was bad in principle, and inapplicable in itself. Although recourse might formerly have been had to a particular measure, it did not follow that the measure was good, and ought to be repeated; far less that a direct interference, which was altogether alien from the duties of government, should become a sort

of rule, to be applied in every derangement of commercial relations. But, in truth, former instances did not apply to the case which now existed; for, in all former instances, excepting perhaps one, the derangement had arisen, not as at present, from the course of trade itself, be it good or be it bad, but from the positive influence of political events, during periods of actual war, and had arisen, moreover, under the reign of the restriction on cash payments. But there was a great difference between the adoption of such a measure, when growing out of a political crisis, and the application of it to the relief of commercial distress, when the latter had no connection with any political emergency. Even the instance of 1793, to which the opponents of the present arrangement so constantly referred, was, in a great degree, inapplicable. The difference between it and 1826 was this, that, whatever might have been the primary causes of the distresses which prevailed in 1793, the breaking out of the war had a great and decided influence in aggravating and prolonging them. There was then a great fluctuation of affairs, and much distress, arising, however, not from private speculations, which the nature of trade itself would cure, but from public events which had produced the most serious consequences on the mercantile world. That was a derangement which was the consequence of public events, and gave the sufferers a claim on the government for relief; but the present pressure had been created by no public events, nor could such a claim properly exist in the eleventh year of profound peace. If we had advanced to the agricultural



interest in 1822, the four millions which they craved; if we had lent to Ireland in 1823, the million which she asked for, in her distress; if, in the same year, we had advanced to the West-Indian proprietors the five millions which they wished to relieve their embarrassments; and if we were now to lend five millions more for the assistance of the merchants; government, in the course of four years, would have lent no less a sum than fifteen millions; and who would pretend that such a system was right; or that a single example, which led to such consequences, ought to be followed, even if it were applicable?

With one alteration, namely, that the Bank agreed to lend on collateral security, as well as on the security of deposited goods—a change which would, it was thought, in some measure remove the objection of injurious notoriety, by enabling the merchant who had goods, to lodge them with private friends who would be accepted as personal securities—the measure was immediately carried into execution. Commissioners were appointed by the Bank in the principal provincial towns. These commissioners were almost uniformly mercantile persons belonging to the place for which they were appointed; and, although prudence required such an arrangement, in order that local knowledge might secure prudence of procedure, yet it greatly increased the unwillingness of many to disclose the state of their affairs, their necessities, and their resources, to their own local competitors. The whole sums applied for, fell far short of the three millions which the Bank had set apart to this object; and, in some of the provincial towns, the

office of their commissioners was almost unfrequented. The applications for advances were made with the utmost moderation. None were required beyond what were absolutely necessary; and, in every instance, the parties shewed the strongest desire to have only the smallest sum which would suffice to meet their immediate wants.

The adoption of this measure rendered it necessary for the security of the Bank, to introduce a new bill, or rather to anticipate the operation of an act of the preceding session, regarding the law of principal and agent. By the common law of England, an agent or factor, holding goods of his principal, and being in possession both of the goods themselves and of the documents relating to them, although he might effectually sell the merchandize, yet he could not, by the general rule, effectually pledge it; and, in many cases, where he had so pledged it, apparently in the character of owner, the lender's claim had been disappointed by that of the real owner. Accordingly, in 1811, when the Bank had made advances on the security of deposited goods, it had been protected from this danger by a special provision. The evils of the general rule had been so severely felt in the mercantile world, that, in the session of 1825, an act had passed, modifying the law, and providing that goods pledged by a factor, should be as effectually pledged, in regard to the innocent lender, as if the factor had been the real owner. But this act was not to come into operation till October 1826; it having been thought proper to give foreigners, so much interested in the powers and liabilities of their agents in this



country, due time to become acquainted with the change which had taken place in this important department of our mercantile law. The Bank, however, in consenting to advance three millions, in the present instance, made it a condition of their compliance, that the protection of this statute should be extended to them immediately. Accordingly, a short bill was brought in, and passed, to enable persons in the possession of goods, and possessed likewise of the documents conferring the property of them, although such persons should be merely factors or agents, to pledge them with the Bank as effectually as if such persons were the actual owners. It was confined to deposits made with the Bank: the time limited in the act of last session for the general application of the principle to all such transactions, was left untouched.

Such were the measures recommended by ministers, and adopted by parliament, not so much to remove the existing distress, as to palliate its symptoms in the mean time, and to provide a sort of security against the recurrence of some of the causes which had produced it. The advances by the Bank, indeed (to be considered, in some measure, an act of government), were sources of immediate assistance; but this assistance was confined to a limited class; and that class itself made use of it, not to push their usual mercantile and manufacturing occupations, and thus restore employment to the artisan, but only to maintain their credit, by discharging their instant and pressing engagements. The suppression of small notes, and the unlimited enlargement of the number of partners in private

banks, were measures purely of prospective security. They could not supply, nor could any measures supply, capital to the manufacturer, that he might again employ the families of his work-people: they could not remove, and no measures could immediately remove, the glut which prevailed in many of the principal foreign markets, and create a demand for cotton yarn and calicoes from Lancashire and Glasgow, or works in iron and steel from Birmingham or Sheffield, which should again call for the industry of the cotton-spinner, the weaver, and the grinder: and still less, therefore, could they, or could any measures, provide cargoes for vessels, whose unfreighted owners, and unemployed mariners, were loudly complaining. As there were many who thought that more immediate relief might be given, and not a few who maintained that, for that purpose, it was only necessary to repeal certain measures which had lately been adopted, the attention of parliament was again directed towards the assistance which might be derived from emigration, from changing the corn laws, and from giving up the more liberal policy which had been lately introduced into our commercial intercourse with foreign nations.

Extensive emigration is, perhaps, the last expedient to which a country, whose strength lies in its population, ought to have recourse in order to escape from a temporary inconvenience, and is at all times, a remedy, the effect of which can only be temporary. If the numbers be such as to afford any effectual relief to those who remain, they can be so only by consisting of those who have nothing, who can neither emigrate nor settle, at their own expense,



and who must therefore be removed and settled by laying an additional burden on those who are left; for it is but few who quit their native land, (unless urged by political feeling), while they remain in that state of competency, which is implied in the ability to emigrate and settle. The adventurers who, not long ago, went out from Scotland to Van Dieman's Land, did so at their own expense; but what effect did the exile of so small a body produce on any interest in the country? If, again, the numbers which are removed be so great, that, even after the expense of their removal has been borne, a greater degree of comfort will appear among those who remain, then it would seem that this very increase in the means of comfortable subsistence would, in a short time, re-produce the superabundant population which had been thrown off, and bring a new necessity for recurring to the same temporary palliative. Ireland has never been benefitted one atom by the shoals of labourers whom she annually disgorges on the shores of Scotland. Emigration can never be effective, excepting on a large, and a continued scale; and as such it ought never to form a regular feature in the administration of a government, and, least of all, in one, a large portion of whose population derive their means of subsistence from manufactures. Those who are removed will generally, if the scheme be well conducted, be greater gainers than those who remain behind.

During the last four years government, on more occasions than one, had lent its aid to emigration to Canada. The general misery which prevailed during the present

year increased tenfold the claims of emigration upon its notice as a means of relief. In Scotland, even the landholders of a county applied to ministers to supply encouragement to intended emigrants, and, among the artizans themselves, societies were formed for the purpose of projecting schemes of emigration, and obtaining assistance towards their completion, as well from the crown, as from other public and private sources. Government felt, that whatever might be done in that way, ought to be preceded by much inquiry and deliberation, and a perfect knowledge of the effects of what had been already done. While, therefore, they declined to act upon such crude and hasty suggestions, they did not deny that the matter was one of grave importance, or shut the door against its consideration; and, on the 14th of March, Mr. Wilmot Horton moved for the appointment of a select committee to inquire into the expediency of encouraging emigration. He expressed his hopes that the principle of emigration would be found to be a sound one, and rested these hopes on what had been effected hitherto. In 1823, parliament had voted fifty thousand pounds, for the purpose of enabling a certain number of men, women, and children, to emigrate to our North American colonies. The number of persons who availed themselves, on that occasion, of the encouragement held out by government, amounted in all to two hundred and sixty-eight; and the expense incurred by the country for each person was twenty-two pounds. These persons, from being in a state of extreme misery, were now comfortably and prosperously settled. This first experiment hav-



ing been successful, it was followed up, in 1825, by the emigration of two thousand and twenty-four persons, men, women, and children; but the average expense of sending them out had been less than it was two years before, for it amounted to only twenty pounds a-head; and, from official, and other respectable sources of information, it appeared that they were all prospering and comfortable. These emigrants had been sent from Ireland; and they were in fact paupers, without means of procuring a subsistence at home, and utterly incapable of providing for themselves and their families, and yet without families they would not be. The result, therefore, seemed to be, that, for twenty pounds, a person might be comfortably settled in Canada, with the prospect of independence before him, who, if he had remained in Ireland, could have hoped for nothing but the wretchedness of penury. It had never been in the contemplation of government to supply all the expenses necessary for carrying such experiments farther: their object was, to shew, by a few trials, to those who might be interested in forwarding such a system, and in removing a redundant population, the ease with which it might be carried into effect, without any very great expenditure of funds, and the beneficial consequences resulting from it. The object of the proposed committee was, to collect information, examine the question in all its bearings, and bring out, as far as possible, all its probable results. No opposition was made to the appointment of the committee, but nothing followed upon it during the session.

Considering the degree in which public attention, among all classes, had been lately directed to the existing state of the Corn-laws, and the ideas which had gone abroad that they were a principal cause of the distresses of the poor, it was not to be expected that, among so many plans for removing these distresses, their repeal or modification should be overlooked. On the very first day of the session, lord King had moved an amendment to the address, pledging the upper House to take these laws into its immediate consideration; and the tables of both Houses were covered, almost nightly, with piles of petitions, partly from agriculturists, praying that the law might be allowed to remain as it was, but, in greater number, from artizans and manufacturers, praying for its instantaneous repeal. And it is certain that these opposing petitions tended much more than any thing else, in the minds of the unenlightened, to place the two interests in that supposed hostility towards each other, in which no well-informed and moderate-minded man ever found them to stand. The working classes universally looked on the Corn-laws as the first and great source of their distress, for they could comprehend this position that, the cheaper the corn the cheaper the loaf: they knew that they could live more comfortably, if they obtained a certain quantity of bread for three-pence, than if it cost them sixpence, and farther they went not. Nay, there were senators and writers who still taught them, that the simple solution of this complicated and important question was to be found in the two words "cheap food."



Ministers, however, did not reckon it prudent to introduce the subject during the session, although they frankly avowed that it was one which must be grappled with. The great object of terror in the eyes of the agriculturists was, the comparatively cheap rate at which foreign grain could be brought into the home market—a rate so low, they said, that competition with it, on their part, would be impossible. Many vague and uncertain statements were current regarding these prices; and accurate information was the first thing to be desired. In the preceding year, government had sent abroad Mr. Jacob, a gentleman well acquainted with the corn trade, to ascertain from surer data than were yet known, the state and productiveness of the corn-growing countries round the Baltic, and the average prices at which grain might be expected to be exported from the Baltic ports. He returned with a report, which was printed for the use of parliament, full of most detailed information. The advocates of a repeal, anxious in general to hurry on the discussion, seized many opportunities, on the occasion of presenting petitions, of charging government with keeping back unnecessarily the settlement of a question, which, they alleged, was agitating all classes, and which must be met at some time or another. But it was not till the 18th of April, that the subject was formally brought forward by Mr. Whitmore, who moved “that the House do now resolve itself into a committee to consider the propriety of a revision of the Corn-laws.” The grounds on which he supported the motion had no relation to the propriety of the period chosen for

the discussion, but were taken from the merits and details of the whole question. Mr. Whitmore allowed that the time at which he submitted his motion was not altogether unattended with inconvenience, and the possibility of loss; but, not only the expediency, but the absolute necessity of an immediate alteration appeared to him to be imperative. It was mischievous, he said, to delay the decision of the question a single moment, after government had applied the principles of free trade to other branches of industry; for these principles could never be applied with due effect, nor have practical justice done to them, so long as the present Corn-laws formed part of our commercial policy. The British manufacturer could never enter unprotected into a competition with his continental rival, while the chief means of his subsistence were kept up at an artificial rate, far above their cost in any other country of Europe. If reciprocity of trade was to be established at all, it was evident that we ought to select those articles for its operation in which foreign countries had the greatest interests. Now, to all the countries from which grain could be obtained, nothing was of nearly so much importance as the exportation of corn; and yet our system of Corn-laws had actually been diminishing in those countries, the production of that in which alone almost they could deal with us, and repay us for our manufactures. In consequence of our prohibitory system, the price, in some parts of Germany, was only 14s., and in others, so low as 10s. per quarter; and if the profits of foreign growers were not such as to afford a fair remunerating price, they would



naturally be driven, in their own defence, to grow flax, or such other articles as would repay them for their labour and the use of their capital. The fact was proved by the report of Mr. Jacob. That gentleman mentioned one case, in which a nobleman, who had formerly employed 26,000 acres in growing little else than grain, had now, in consequence of our prohibitory system, turned his land and his attention to the production of fine wool, and fed 15,000 Merino sheep. The exportation from Dantzic and Elbing, which, from 1801 to 1805, had been 549,365 quarters, amounted, in the years from 1821 to 1825, after our Corn-law of 1815 had been passed, to only 83,523. A similar falling-off had every where taken place. If home grain was at from 55s. to 60s. per quarter, we might never expect a greater annual importation of foreign grain than 400,000 quarters; with such an average price, the English agriculturists ought not only to be satisfied, but ought to regard themselves as the most enviable class of the community.

Sir Francis Burdett supported the motion, but for very different reasons from those of the mover. He did not think that the motion would produce any one of the effects which the mover expected from it; but yet he would support it, for he wished to get into the discussion, that it might be shewn, as he was certain it would be, that the land-owners, in supporting their own class and station, were advocating that which was essential to the general interests of the country. The opulence and prosperity of the country was comprised in the fact, that, although not more than one third of our

whole population was occupied in agricultural pursuits, yet such was their skill, their knowledge, and experience, that they raised sufficient produce to keep the country generally in its state of wealth and opulence. Assuredly, there was no other country in the world, which had ever, with one third only of its strength employed in agricultural pursuits, sustained in such a condition, the rest of the people, including both the productive and unproductive classes. It was this very small proportion of hands, raising such an enormous amount of produce, that was the real secret of our wealth and power. In France, out of a population of 30,000,000, about four fifths, or 24,000,000, were engaged in agriculture.

Unquestionably, the reason why we had many wealthy manufacturers in our own country was, because the agricultural population, though in numbers so small, raised so large a supply of produce, which the manufacturers obtained, in effect, in exchange for their manufactures. It was this exchange of manufactures against agricultural produce, upon which all our domestic opulence was bottomed. It was ridiculous, therefore, to talk about one of these classes being poor, and the other rich, at one and the same time. The manufacturer could not be rich unless there was plenty of agricultural produce to be brought into the market for his abundance of manufactures; nor could the agriculturist be rich, unless there was that abundance of manufactures to be obtained for his excess of produce. The question now before the House did, in fact, regard the trade which had been always carried on in this country,



in the exchange of these commodities, corn and manufactures. Some persons were disposed to resolve all into the single cry of "Give us cheap bread." But "cheap bread" was, indeed, but a convertible term. To say that corn was dear, was to say that manufactures were cheap. As long as the exchange of these articles went on as it should do (and in that consisted the true interest of the country), one of them, manufactures, or corn, must be dear, and the other cheap. They could not be at once both cheap and both dear, for there could be no such exchange, but what arose out of the excessive production of one over the production of the other. As long as the manufacturer could afford to make cheap returns to the agricultural grower, or the agricultural grower to the manufacturer, the productions of one of them must be dear; but both must be enriched by the exchange thus carried on between them. So, too, of the merchant, in his relations with the manufacturer: his returns must be dependent on the excess of manufacturing produce. It was, therefore, a mistake to suppose that the agriculturist, the manufacturer, or the merchant, could be flourishing, if they were not all flourishing together. The foundation of their joint prosperity was the agricultural interest of the country; for, without agriculture, there could be neither manufacturers nor merchants; nor, could the men of science, and the disciples of art, be paid. If it were doubted that this was the case, let us cast our eyes abroad, and observe how they, the unproductive classes, (and he applied this distinctive epithet not invidiously, for he was far from calling those studious and

scientific classes useless, who were, in truth, the ornament and the pride of society) were remunerated elsewhere; how much better, after all, they were paid in England than in any other part of the world. The price of bread was of little consequence; for though the master manufacturer might like cheap bread, he also liked to have remunerating prices for his manufactures, which, while bread continued very cheap, he was not likely to obtain. In the petitions presented to parliament from such places as Glasgow and Paisley, the manufacturers complained of low prices. It was difficult to guess with what reason they came before parliament complaining of the agricultural interest, and the price of bread; in which latter particular they were guilty of a very great and gross and vulgar error. For it was of no consequence to the labouring people, at what price the bread they consumed happened to be. That must depend mainly on a very different consideration, namely, on the state of the currency. Money prices must be regulated by the condition of the currency; but the real reward of labour, the proportionate reward, upon the produce of agriculture. A petition from Blackburn, lately presented, came from a very distressed class of the community. They also complained of the high price of corn, for, except among the unfortunate landed interest, a complaint of the price of corn seemed to be the order of the day with all classes. In this instance, however, it was only the expressed gravamen of the complaint; while the real evil deprecated by the petitioners was the introduction of the "power looms." The more food you pro-



duced in a rich, well-peopled, manufacturing country, the more wealth you created. The more food furnished to the country, the greater would be the consumption, and the greater the exchange of agricultural produce for manufactures; for the increase of the one certainly produced the increase of the other. In proportion as the manufacturers could be supplied with food, whether grown, imported, or dropped from heaven, the agricultural interest must be benefitted; and therefore he said—"Let corn come into the country from abroad." By this means other produce and wealth would accumulate in the country.

Mr. Huskisson, without entering into the merits of the question, deprecated its discussion at present. Ministers had announced in the House, on the first day of the meeting of parliament, that the subject would not be brought forward this session; and certainly nothing had since happened, to induce them to give way to this ill-timed motion. No man could doubt, for a moment, the importance of the question, the difficulties which surrounded it, and the misconceptions which so generally prevailed concerning it; but all these were reasons why it should be entered on with greater caution, and proceeded in with greater deliberation, than could be looked for so near the close of the last session of a parliament. Any discussion in such circumstances could terminate only in great inconvenience and embarrassment. The state and system of the Corn-laws was more unfit than any other to be entertained in the House, and thereby set afloat in the country, unless the House

were perfectly prepared to go through with it, and had ample time and opportunity for its deliberate and complete discussion. There had been a common understanding that various questions of great difficulty and importance—of which this was one—ought to be allowed to remain in abeyance, both in justice to themselves and to the public interest, until they could obtain a more thorough investigation in a new session of a new parliament. He pledged himself to take the first favourable opportunity of calling the attention of the House to the whole system of the Corn-laws, and he had no reason to believe that he should be unable to redeem his pledge in the next session; but he would not submit to be taunted, either in that or any other session, with a breach of faith, because he did not feel himself bound to persevere in an intention, whatever circumstances might occur to induce him to change it.

On a division, the motion was lost by a majority of 215 to 81. The discussion was rather an impatient one; for the House seemed to feel that it was now impossible to do justice to a question so broad in itself, and involving so many details. It was necessary, or at least convenient, that parliament should rise early, on account of the approaching general election, and any appearance of haste in determining such a question, would have pleased neither party.

But, although the general and final arrangement of the Corn-laws thus remained unsettled, it was found necessary, before the end of the session, to introduce two bills to modify in certain respects their strict operation. There was still little diminution of the prevailing



distress ; and its continued pressure had led, in the month of April, to a series of disgraceful riots in Lancashire, which led to the destruction of machinery, more particularly of steam looms, to a large extent.\* It may be observed, that the delusion of the Lancashire artisans, that machinery deprived them of employment, was scarcely to be wondered at ; when, at a meeting of the noblemen and freeholders of the county of Lanark, men of high rank and liberal education, apparently smarting under the necessity of making a public subscription for the relief of the unemployed manufacturers of Glasgow, were found to express and to maintain the same doctrine. The riots were speedily repressed by the military, although not without some sacrifice of life. They arose from ignorance ; but that ignorance had been stimulated by a state of suffering—of almost absolute starvation—which the feelings of no man could overlook, and which it was impossible to meet by merely local subscriptions. Ministers were adverse to making any grant of public money for the relief of local distress, on the same principle on which they had refused to issue Exchequer bills for the relief of the merchants ; but there were other means both of giving immediate assistance, and of providing against its increase during the long interval which must elapse between the dissolution of the present, and the sitting of the new parliament. In the immediate neighbourhood of the scene of distress, in Hull, Liverpool, and other ports, there were in bond between 250,000 and 300,000 quarters of wheat,

which, under the existing regulations, could not come into the market. The admission of this quantity into the market could have no material effect upon the agriculture of the country, whilst it was thought it would be sufficient to diminish that suffering which was actually felt, and which, it was to be feared, was more acutely felt in consequence of the approximation of so much food in the neighbourhood, and the contrast thus presented ; for the very fact of the co-existence of two such states of things, want and plenty, tended to exasperate the evil. It was therefore proposed to allow bonded corn to come into the market. As again, it was impossible to foretell what the result of the coming harvest might be (and from the then aspect of the crops, fears were entertained that the harvest might be far from productive), it was proposed, as a measure of precaution against the continuance or the recurrence of the existing distress, to vest government, during the recess, with a discretionary power of permitting, generally or partially, as the necessity of the case might require, the importation of foreign corn, on payment of a fixed duty.

Accordingly Mr. Canning, on the 2nd of May, moved that the House should go into a committee on the 3, Geo 4th, c. 60. But even the Speaker's leaving the chair was opposed, and pressed to a division. The motion, it was argued, was in downright contradiction to the vote of the House upon the motion of Mr. Whitmore. On that occasion there existed the same reasons for entering upon the consideration of the Corn-laws which existed now ; but the loudly-expressed opinion of the House had been that this was a most inconvenient crisis for such

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\* The detail of these outrages will be found in the Chronicle, p. 63,  
VOL. LXVIII,



a discussion: with what consistency then could it now be called upon to rescind that very vote—now that inconveniencies, if they ever existed, had only been augmented. It was vain to say that the proposed measures did not involve the whole question of the Corn-laws: they necessarily opened up the whole discussion, for ministers were to have the power of opening the ports at their discretion, while it was altogether uncertain how the harvest might turn out. Either these discretionary importations were to take place under a certain duty, and when the home price was at a certain point, or there was to be no fixed point, and no fixed duty. If the latter, who would venture to lodge such an absolute discretion in government for any length of time, or how could the creation of such a power be even thought of, without a thorough investigation of the whole system? If again, there was to be a fixed price to regulate this discretion, and a fixed duty to burthen the importations, what this price and this duty ought to be, must necessarily be investigated, and such an investigation comprehended the whole essence of the corn question. Moreover, the price and the duty which might be now fixed for this temporary measure would assuredly be ultimately adopted as the price and the duty on the final decision of the general question, and when fixed for the purpose of giving low prices to the distressed consumer, they must necessarily be unfair and unjust to the no less distressed producer. The measure, too, proceeded upon this principle as their basis, that the distresses of the manufacturers were occasioned by the price of corn, a principle

which ministers themselves had always denied. If the pouring in of new quantities upon the market is to benefit the sufferers at all, it must be, either by furnishing them with employment and wages, or by lowering the price of their food, for nobody alleges that the food does not exist. To say that it can do the former is manifestly absurd; and to say it can do the latter, and yet to maintain that the Corn-laws have no connection with the existence of the distress, is still more clearly illogical. It comes to this, that importations of grain, contrary to the Corn-laws, are to increase comfort, and are to do so by lowering prices. The evil arose from want of employment, from inability to purchase; and, therefore, there ought to be a grant of public money. If the state of things was such, that individuals were called upon to subscribe for the relief of their fellow-subjects, then a case was made out why parliament should interfere with a grant of pecuniary assistance. On these grounds of general opposition to the whole spirit of the proposed measures, sir Thomas Lethbridge, seconded by Mr. Benett, moved “That a select committee be appointed to inquire into the causes of the distress in the manufacturing districts.” Upon a division, the original motion was carried by a majority of 214 to 82.

The first resolution, allowing wheat in bond to come into the market, on payment of a duty of 10s. per quarter, and other corn at inferior rates, met with no resistance, excepting that Sir Thomas Lethbridge was anxious to add to the duty; but the wishes of the House on the other side were so loudly expressed, that he withdrew his opposition.



The second resolution, giving ministers a discretionary power of admitting foreign grain during the recess, was much more stubbornly opposed. In the first place, it was an irregular and unconstitutional power, and was asked without any good reason being assigned why it should be bestowed at all. Even allowing the possibilities on which it entirely rested, of such a failure of the harvest as might render it advisable, in the present state of the country, to admit foreign grain, why should that be determined beforehand when parliament can still be in existence to meet the emergency? Parliament has still twelve months of its duration remaining; and if the state of the country be such as to require the investing of government with unconstitutional power, much more does it require that parliament should continue to exist to exercise its constitutional authority. But neither was there any foundation, in point of fact, for what was proposed; the whole case proceeded upon possibilities, the possibility that there might be a bad harvest, and a famine price, during the recess; and the whole argument proceeded on apprehensions of this imaginary, danger—not indeed absolutely imaginary, because perfectly possible, but yet so far imaginary, that it would furnish a reason for vesting the Crown with a dispensing power over the Corn-laws at the commencement of every long adjournment, as on the present occasion. Now, likewise, that the quantity which was allowed to be imported was to be limited to 500,000 quarters, the power asked would be futile even in its operation; for it would never be pretended that the lowering of the price of the loaf by a single halfpenny,

could justify the establishment of such unnecessary and unconstitutional power, and such dangerous tampering with laws on which so many interests depended. It was, in some measure, a breach of faith towards all connected with the corn trade, and a breach arising from that very frankness in declaring their intentions, of which ministers boasted highly. At the opening of the session, they had declared, that the question of the Corn-laws would not be stirred. Trusting to this, and that for a year, at least, they would be safe, farmers and corn dealers had entered into contracts, the relations under which would now be altered to the disadvantage of one of the parties; and on the merchant who had purchased grain on the faith of these declarations that no foreign grain would be admitted, excepting under the existing regulations, was inflicted a loss equal to the depression of price which the quantity of grain to be brought into the market under these temporary regulations might occasion. Some members said, that they would have given a decided preference to a discussion of the whole matter; others accused ministers of inconsistency, in having, during the adjournment of the committee since the first resolution was agreed to,\* brought down their demand from an unlimited importation to the comparatively insignificant quantity of 500,000 quarters, which, if the danger really

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\* Only the first resolution, for taking out bonded corn, was agreed to on the 2nd of May. The resistance to the second was so stubborn, that the committee divided again and again. It again came before the committee on the 5th; and then was mentioned the limitation of the quantity to 500,000 quarters.



arose, would be insufficient to meet it; and Mr. Portman was of opinion that it was the duty of ministers, instead of applying to the House for special powers, in the prospect of mere contingencies, to have waited for the occurrence of these contingencies, and then, by their own act, if necessity existed, to have opened the ports, under the weight of their constitutional responsibility. The declaration involved in these measures, that the Corn-laws were insufficient, and that extraordinary enactments were required to guard against a probable mischief, had already done much harm, and produced much agitation.

Ministers maintained, that it was a solecism to accuse them of bringing forward an unconstitutional measure, when they were purposing to do nothing but by the authority of parliament, and had come expressly to ask the permission of parliament. They might have acted without this authority; that would have been unconstitutional, and could have been covered only by a bill of indemnity; but to wish to avoid the necessity of requiring an indemnity was to wish to avoid taking an unconstitutional step. The consequences of doing otherwise had been seen in 1756, when lord Chatham was minister, and lord Camden attorney-general, and the administration the most popular which this country had ever seen. During the recess of parliament, famine stared the country in the face, and corn could legally be exported up to a certain price. Ministers closed the ports; but, when parliament met, the most violent debates ensued, although the necessity had originated only after parliament had separated; and, although there

was not a single opinion against the necessity of the measure, the minister was exposed to the most bitter censures, because he had not acted with a proper sense of his duty to parliament. But, in the present instance parliament was still sitting to provide constitutionally for any emergencies, and breach of duty would have consisted in ministers wilfully neglecting to clothe themselves with that authority which parliament alone could give. They had indeed been told that they ought to have acted on their own discretion under the weight of their responsibility; but the example of 1756 was a warning; and, in the support which ministers were receiving in this very measure, they had an impressive earnest of the sort of reception with which they would have met, if they had so acted; for was it to be believed that those same gentlemen who believed ministers to be committing treason against the landed interest, by asking permission to act under the authority of parliament, would, if they had acted on their own responsibility, without the authority of parliament, have given them their votes, when they came to ask for pardon? Ministers might, after all, be obliged to act upon their own authority still, if they were thrown back on themselves; but then they would do so no longer on their own responsibility, but on that of those who had refused to invest them with power to meet the emergency.

It was complained, that there were no facts to lead to the conclusion, that corn would, during the recess, reach a price inexpediently high. But the measure was not one of positive legislation founded on special facts; it was a



measure of precaution to meet probable contingencies. During sixteen of the last twenty-five years, the average price of corn had been 75s.; and during eight of them, it had been 90s. If, therefore, corn should rise to 90s. in the present circumstances of so large a portion of the population, the consequences must be miserable; and when this had actually happened eight times out of twenty-five, it was impossible to look upon it as being so remote a contingency, that a prudent government ought not to provide against it. Prices have been regularly rising for the last six weeks; the harvest of last year began a month earlier than usual; the harvest of the present year might, very probably be a month later than usual; and so, between both, the produce of the year may have to supply the consumption of fourteen months. In ordinary times we might risk the inconvenience which would result; but there was something in the present state of the country, which would make this a matter of more than ordinary hazard. The rise might happen so suddenly, that, within a very short period of time, a relaxation of the Corn-laws might become absolutely necessary, and scarcely time for deliberation remain. Since, then, in such circumstances, to be able to use a discretionary power would be desirable, the simple question was, whether it were better that government should use this discretion of itself, and trust to the subsequent approbation of parliament, or should first receive it as a trust deposited in their hands by parliament?—And surely the latter was the safer and more constitutional course to pursue. Mr. Phillips said, that if the power of admitting foreign grain was

actually carried into exercise, it would not only cure any inexpedient rise in price, but the importation would effect still greater good by reviving industry. “A person”, said the hon. member, “extensively engaged in the commerce of Manchester, told me this morning, ‘we are prepared to go on again immediately, even under the present circumstances, if we could get our returns from abroad. But, in the present state of the exchanges, that is a matter of great difficulty, unless we incur a very serious loss. If, however, we were enabled to import foreign grain, we could immediately set to work.’ This difficulty was universally felt; and the importation of even 500,000 quarters would be beneficial to a much greater extent than merely lowering the price of grain.”

The motion, “that it is the opinion of this committee, that it is expedient to empower his majesty, by any order or orders in council, to permit, under certain circumstances, and for a time limited, the entry of corn for home consumption, subject to the duties which may be agreed on,” was carried without a division. The opposition of the most stubborn champions of the landed interest had been soothed down by the intended limitation of the quantity to 500,000 quarters, and of the time to two months after the ports should have been opened. The quantity, which, in such cases, must be, in a great measure, arbitrary, was taken, as equalling, when added to the bonded corn to be let loose, one half of the greatest importation ever made. This limitation of the quantity, leaving unfixed the price and duty at which it might be imported, had for its object to meet the views,



and soothe the apprehensions of the landed interest. The repeated asseverations of ministers, that the present measures were not to be considered as having any connection with the final adjustment of the question, could not convince the defenders of agriculture, that any duty or price which might be attached now, was not intended to be the one that should be finally adopted, or, at least, that the people would not view it in that light—regard it as a tacit legislative declaration of what was right and proper—and thus disable the land-owners, when the great question came to be discussed, from claiming a higher price, and a higher duty, without exposing themselves to popular odium. The dread of this measure operating, and being regarded, as an incidental decision upon the Corn-laws themselves, was the origin of all the hostility of the land-owners, and the reason why, rather than agree to it, they were willing to enter into a full investigation and revision of the whole system. Accordingly when colonel Wood moved a clause, that importation should not commence till the price had reached 65s., and then only under a duty of 12s., the land owners successfully joined in prevailing him to withdraw it, on the ground that no mention whatever should be made of fixed prices or fixed duties. They were better pleased that it should be a matter of pure discretion, for which ministers alone should be liable. “If ministers are to have the discretion they wish for,” said sir Thomas Lethbridge, “I do not wish them to state the price at which corn is to be imported. The measure is theirs, and it is right that they should take all the responsibility. I am glad, therefore, that they

have said nothing regarding either the price or the duty.” In this spirit they continued their opposition till opposition was hopeless, and there was occasionally even some bitterness in the taunts which they directed against ministers, for what they call this undermining of the Corn-laws. One adherent of government declared, that, since such were to be their measures, he for one, should feel himself bound, if he had the honour of a seat in the next parliament, to take care, that all the public establishments were brought down to the lowest possible point. In short, as in the case of the small-note bill, ministers were opposed by some of their friends who did not wish the Corn-laws to be touched at all, and were supported by some of their opponents who wished to see them removed altogether. The bill passed by large majorities, without alteration; and to the bill for letting out the bonded corn no serious opposition had been made.

The same difference of opinion prevailed in the House of Lords. There the bill for permitting the importation of 500,000 quarters of foreign grain, was met by lord Malmesbury with an amendment to the effect “that their lordships, though always anxious to contribute to the alleviation of the sufferings of the labouring classes, do not think it expedient that any alteration or modification of the existing Corn-laws should take place, so far as relates to the admission of foreign corn, without a previous inquiry into the probable effects of such a measure on the interests of the grower and consumer of British produce.” The noble lord contended that the bill was both unnecessary and mischievous; and, at all events, in-



quiry was indispensable before adopting it as being necessary and useful. There was no scarcity of corn in the country, nor any prospect of such a scarcity. The alleged small stock of grain in the hands of the dealer was no proof whatever of the smallness of the stock in the country; it only shewed that the farmers had not yet sold their stock at under prices, but, according to the old custom, carried it to market, month by month as they happened to need money. Empty warehouses were no evidences of a want of grain in the country. During the last eleven months 528,000 quarters of foreign corn had been imported, viz. 433,000 let out of bond, and 95,000 imported from Canada. The result of this had been, that the price which, in Nov. 1825, had been 65*s.* 4*d.*, was now, in May, 1826, only 60*s.* 4*d.*; and if 800,000 quarters additional were thrown into the market by the measures now in progress, the farther depression of prices must be ruinous to the farmer. The bill, therefore, was not only unnecessary but mischievous. The Corn-laws had not the remotest connexion with the existing distress; but the very introduction of these measures had unwittingly countenanced and supported the vulgar prejudices against that system. To know that 500,000 quarters of wheat might be poured into the market before the 1st of June, was of itself sufficient ground for apprehension, and for inquiry, were it with no other view than that the measure might be so modified, as to remove the grounds of alarm. The discretionary power asked by government, can be justified only by necessity; and government, therefore, is bound to go into a due course of inquiry to

prove that such necessity exists, while both the stock in the country, the falling price, and the 300,000 quarters which are immediately to come out of bond, prove the reverse.

Lord Ellenborough said, that it seemed to him impossible to oppose the motion, for it just meant this—that having only four years ago passed a certain act relative to the corn trade, they would now enter into an inquiry of the same sort, before they proceeded to alter the provisions of that act. Even the letting out of the bonded corn last year furnished no precedent for letting it out this year. The corn let out last year had been a long time in bond, and was limited to what had been bonded within a certain time; in the present instance, the privilege was unlimited; it let out, not only all corn actually warehoused, but likewise all corn “reported to be entered” to be warehoused before the 2nd of May. Last year, also, prices had been rising, not for a few weeks, but for two years. Ministers were insidiously creeping on against the Corn-laws. Last year they made an attack upon them, though it was a justifiable one. This year, however, they were making another; and their lordships ought to remember, that, in public affairs, what was innovation in one year, became precedent the next, and rule the year after: nor would he be astonished, if it should be established next year, upon this measure as a precedent, that bonded corn should always be let out into consumption.

The Earl of Liverpool entreated their lordships not, by a hasty decision, to prejudge the measures which might shortly come up to them from the other House; and, above all, not to act under the im-



pression, that it was not competent for their lordships to introduce whatever alterations they might think fit into the two bills, except as to the amount of duty. The grounds of the proposed measures, he thought, could not be resisted by any fair and reasonable mind, or by any person who was not prepared to shut his eyes to the dreadful consequences which might result from a scarcity of corn during the recess. He never believed, nor insinuated, that the high price of corn was the cause of the present distress. But, without stopping to determine what the cause was, could it for a moment be said that the price of food was not a great aggravation of it? It was well known to such of their lordships as had read the documents on that subject laid on the table, that the average growth of this country was not more than sufficient for its consumption; but when they considered that fact, and looked at the effect which the quality of the harvest might have on the subsistence of the people—on the agricultural, too, as well as on the manufacturing classes—their lordships ought to bear in mind, that, if an unfavourable season should come on, the crop would fall far short of our wants. He had looked over documents relating to the state of the harvests for thirty-two years; and he found that, between 1790 and 1822, there had been eleven defective harvests, during which a great importation of grain became necessary. The question, too, of plenty or scarcity, was often that of a day or a week: and it might happen, that though in June our prospects were the brightest, all our hopes might, in one day, fall to the ground. This had occurred in June, 1816. In the beginning of that year the

price of wheat was 53s., and before the end of the year it was as high as 110s. Should such a circumstance now occur in June or July, it would be impossible to open the ports before the 14th of August; and if the averages were not then sufficiently high, the ports would continue closed until the 14th of November. Such a calamity it became parliament to guard against. Whatever objections might be urged against the measures in another year, was it right, with present distress before our eyes, to leave the country in such a state, that, if we did not admit foreign grain, the price of wheat might be up to 140s. or 150s., before three months? It was no argument to say that this might occur in any year, for we were not now legislating for ordinary times, but for a present emergency. He had heard it said, that the people wanted work, not bread. He feared that they were without work, and many, he knew, worked at the lowest rate possible. He did not allude to those who were usually paid high or extravagant prices, but to those whose wages were from seventeen to eighteen shillings a-week: those poor men were now reduced to subsist on seven or eight shillings. Could it then be said that it mattered not to men, under such circumstances, whether the price of the quartern loaf was high or low, when it was clear that their situation was more or less bad, according as they could procure more or less of food for their support? What, then, did his majesty's ministers ask?—a power which, if it was unpleasant to their lordships' to give, it was not less disagreeable for ministers to receive. Why not place the same confidence in the present



ministers as in any other? For if ministers did not enjoy the confidence of parliament, they must cease to hold their offices. Let them therefore not be tried by the confidence which was generally reposed in them, not by their characters, but by their own interest; for ministers must in the end come to parliament, as there was no discretionary power for which they were not responsible.

Lord Bathurst opposed the motion, and moved as an amendment, that their lordships do now adjourn. On a division, the amendment was carried by a majority of 166 to 67, and both bills passed the House on the 26th of May.

That depression of manufactures which universally prevailed, had been felt in some branches more heavily than in others; and it had naturally acted with greater effect upon the silk trade than on those which were more exclusively native. The poverty, which existed, among the weavers of Spitalfields, had attracted much notice; large sums had been liberally subscribed for their relief, and a particular committee had watched over their distribution. But neither the mere artisans themselves, nor yet their better-educated masters, were willing to find the causes of their distress and embarrassment merely in pre-existing relations, which affected the whole kingdom and all its interests. In 1824, the legislature had begun the application of what are called the principles of free trade, by removing the absolute prohibitions which prevented the entrance of foreign silks, and enacting that they might lawfully be imported for home use, upon payment of a certain duty, which was thought sufficient for every purpose of prudent protection to the native

manufacturer. This enactment was to come into operation in the month of July of the present year; and the manufacturers and their workmen found, in the supposed tendency of this enactment, what was to them a much more popular and feasible explanation of the decline of their trade, than in the tracing of causes more universal, but which did not come so readily within the reach of vulgar comprehension. Perhaps, too, in point of fact, some manufacturers may have actually limited their operations, thinking it prudent to wait till something should be known of the "untried state of being"—while still more of them joined in saying that it ought not to be tried. The truth is, that little opposition had been made to the measure when it passed; and, if other circumstances, which that measure in no way affected, had not brought distress, that measure would never have been blamed. A decay of the trade, however, having taken place, nothing was easier, and nothing more consonant to old opinions, or more congenial to inveterate prejudices, than to ascribe this decay to the impossibility of meeting a cheaper foreign competitor—cheaper by his paying a lower price for the raw material, and for the labour employed in working it up. Accordingly many petitions were presented from the persons and districts interested in the silk manufacture, praying for a repeal, or at least some further modification of the provision of 1824, for a total prohibition of foreign fabrics, or a higher duty upon their importation.

On the 23rd of February, Mr. Ellice, one of the members for Coventry, moved, that the petitions, which had been presented on this subject, should be referred to a se-



lect committee; and the motion led to a debate, which, by adjournment, continued during two evenings. The mover disclaimed every idea of being an opponent of the principles of free trade, to the introduction of which he himself had lent his assistance; but, in their application, an error had been committed in beginning at the wrong place. The currency ought to have been rectified, steadiness of prices ought to have been secured by a revision of the Corn-laws, and the price of labour diminished by a reduction of taxation, before venturing on an interference with any particular manufacture. Even as the matter now stood, he did not argue that the allegations of the petitioners should be taken for granted; but he certainly thought, that, when made so distinctly, and of so much importance, if they were true, they were most proper subjects of investigation for a committee. The throwsters, one essential department of the manufacture, while they fairly allowed that, knowing the state of machinery on the continent, they felt no apprehensions from competition on this head, yet firmly asserted, that the quantity of human labour required, independent of machinery, was so great, and the price of that labour, when compared with its value in continental countries, was so high, that, under the protecting duty only, it would be impossible for them to continue the trade: that their establishments must be abandoned, their capital withdrawn, and their numerous apprentices be sent upon the parish. These were allegations deliberately made by men who practically knew their business; and it was right, in all events, that their truth should be investigated.

The statements made by those engaged in another branch, the broad silk manufacturers, were, it was argued, if true, equally conclusive; and to have an opportunity of ascertaining their truth or falsehood, was the only object of the motion. They positively stated, that the additional expense to the manufacturer here, over that of the French manufacturer, was equal to from fifty to sixty per cent. The protecting duty of thirty per cent, established by the act of 1824, could afford no adequate protection. That duty had been fixed principally upon the evidence of two American gentlemen, given before the committee of the House of Lords, to the effect that French silks were produced at about from twenty-five to thirty per cent cheaper than those of England. This was now averred to be altogether incorrect, and it was only right to ascertain whether or not it was so. What rendered such inquiry doubly necessary was, the fact, that one great motive in passing the bill of 1824, had been the prospect and the intention of encouraging the export of home-made silk. But the result had been the contrary. At the last sale at the India-house, the prices of Chinese silks were, as marked in the bills, damask furniture silk, from 5*s.* to 6*s.* 6*d.* per yard, and the duty on this article was from 2*s.* to 1*s.* 6*d.* per yard, making the whole cost to be from seven to eight shillings. But no English manufacturer could produce the same article at double that price. Increased exportation, therefore, was out of the question, and, in point of fact, none had taken place; the English manufacture could not find its way into foreign markets, so long as the silks of other countries



could be procured upon terms so much more favourable.

The third class of persons interested in this trade were the silk dyers. The manufacturers put forth the high charges of the dyers as one insuperable obstacle to a successful competition with foreigners; and the dyers put forward the heavy duties upon the articles used in their occupation as inevitably occasioning these high charges. Not only did the dyers acknowledge that they apprehended nothing from the machinery or skill of the foreign competitor, but voluntarily stated that, instead of having any thing to learn from, they had been able to give useful instruction to, certain foreign dyers who had lately been introduced. Still, however, they maintained that machinery and skill would be unsuccessful, unless the native were placed on more nearly the same level with the foreign manufacturer in regard to the price of labour, and the cost of the materials employed in his trade. All the various ashes, dying stuffs, and soap, were burthened with heavy duties; and that on barilla had, not long ago, been even increased.

The last branch of the trade, the narrow-trade, or that which consisted in the manufacture of ribbands, was in a different situation from the former, and stood still more in need of additional protection. The throwsters, the broad-trade manufacturers, and the dyers, admitted their superiority in machinery, and at least their equality in skill to foreigners, and complained only of the price of labour, and of their materials. But the ribband manufacturers, while equally subjected to the latter disadvantages, were likewise absolutely inferior in regard of

machinery. The number of looms employed at Coventry in weaving ribbands was 9,700, but they were, for the most part, of the very worst construction. From information collected on the spot, with all the means of obtaining accurate information, it appeared that the loom now used in France would throw off, in a given time, five times as much as that which was employed in England; at least when such practical allegations were made, it was right they should be inquired into; for, if true, then this branch of the trade would be involved in ruin, unless farther time were allowed for the introduction of improved machinery. Though much knowledge had lately been obtained of the improved machinery of France, no attempt had been made to build a loom upon these principles, in consequence of the approaching importation of foreign silks in July, for the manufacturers were unwilling to expend capital in improved machinery, which, after all, might be useless.

Such, it was argued, were the positive and deliberate allegations of the different branches of the silk trade, regarding their own capabilities, and the consequences of foreign competition, under a protecting duty of thirty per cent. If, upon investigation, they turned out to be true, the House ought to pause; and, assuredly, what had taken place during the two years, since 1824, allowed to prepare for the change, did not justify precipitation. In 1825, said Mr. John Williams, who seconded the motion, 20,000 people were employed in the trade in Macclesfield; within half a year, 8,731 of them have lost their occupation, and 1,600 families are supported



by voluntary contributions. In 1825, the broad-silk manufacturers had at work 10,688 looms in the same place; now they had only 4,111. Neither, it was further urged by Mr. A. Baring, could the inquiry, and possible retardation of the measure of 1824, which were called for, be regarded as hostile to the principles on which we had begun to remove commercial restrictions, and prohibitory duties. All that he contended for was, that the principle of free trade ought not to exclude any adaptation, which, under particular circumstances of particular articles, it might be necessary to have recourse to. There could be no rule without exceptions: exceptions, indeed, ought never to be multiplied; but the country was full of them, and one of the most important was, the greatly higher price of food amongst ourselves than on the continent. It was possible for the greatest men to commit great mistakes in arguments of this kind. Though there might be less of what was striking, there was much more of merit in attempting to reconcile the claims of long-existing inconveniencies with the demands of liberal opinions, than in boldly, under all circumstances, sacrificing the former, however much they might be entitled to public favour; and the most brilliant theories often proved injurious in their application, in consequence of not being sufficiently chastened by practical experience.

The motion was opposed by Mr. Huskisson, Mr. Canning, and Mr. C. Grant. The question, it was observed, under whatever variety of aspect it might be discussed, always returned to this, whether a protecting duty, or an absolute

prohibition, were preferable. It was admitted on all hands, that silk was an article easily smuggled; and whoever would take the trouble to inquire at the Admiralty, would soon learn, if he was still ignorant of the fact, that the coast-guard and the custom-house could not prevent it from being smuggled, to any extent. There could, moreover, be only one opinion, that, not only would the raising of the duty not diminish smuggling, but that, with the augmentation of the duty, smuggling would increase. The question then narrowed itself to this, in what degree is smuggling prevented by a protecting duty, and in what degree by an absolute prohibition? Now, a prohibition is just the highest conceivable duty, and, therefore, presents the incitements to smuggling in their greatest degree of influence. Nay, it offers to the purchaser a motive which would not otherwise act upon him. Many a man would not seek to evade a duty himself, or give encouragement to those who wish to do so, and yet would not scruple to obtain, and to use, articles, the use of which was entirely prohibited to him. The quantity of smuggled goods seized does not amount, one year with another, to 5,000*l.*, and who will pretend that that is the value of all the foreign silks consumed annually in the kingdom? The East India Company sells annually from eight hundred thousand to a million of Bandana handkerchiefs. What becomes of that quantity? Every one knows that they are shipped off to Antwerp, Rotterdam, Guernsey, and other places, and are then smuggled back to be sold in this country; and assuredly, in this country, there is no scarcity



of them. The prohibition, therefore, so far from protecting the manufacture, necessarily subjects it to a most fraudulent competition. Since, then, competition did exist, and absolute prohibition did not exclude foreign manufactures, the question was simply as to the nature of the competition which ought to be adopted, whether a competition conducted fairly, honourably, and profitably, under the protection of government, or one conducted fraudulently at the expense of every principle of honesty, undermining the whole system of our manufacturing interests, and the more dangerous because it was unseen, and opposed the chicanery and deception of smuggling to the open emulation of honourable industry. The practical effect of smuggling, as a mode of competition had been proved before a committee of the House, appointed in consequence of the low state of the silk trade in 1816. On that occasion, not only did a public meeting of merchants and manufacturers connected with the trade avow that the vacant looms had been thrown out of employment by smuggling, but likewise the interested parties examined before the committee distinctly stated the same opinion. One extensive manufacturer said, that he was not then paying above five pounds a week to workmen, instead of four or five thousand, as he had done for many years before. The depression he attributed to two causes, the heavy duty on the raw material, and the prevalence of smuggling. The duty on the raw material was now greatly reduced; but, unless a protection were to be substituted for prohibition, the competition of smuggling would still remain.

While it was admitted that the silk trade was, at present, heavily depressed, it was answered that nothing could be more illogical or unjust than to ascribe that depression to the measure of 1824, which, in so far as it removed prohibition, had not yet even come into operation: why should a particular cause be sought for to explain, in the silk trade, a stagnation which equally existed in every other branch of industry, in branches which had not yet been touched by the new principles of commercial policy, cotton, for instance, timber, tallow, and Irish provisions. The truth was that, in the silk manufactures, as in other trades, the evil had arisen from unadvised over-trading. The bill, containing the provision now complained of, had passed in the spring of 1824, and, during the whole of that year, the trade had been carried on with unparalleled success. In 1825, there was a degree of excitement, and an extent of speculation, greater than had ever been known before; for it was then that so many new mills were erected, and so many new looms set to work. The manufacturers built, imported, and speculated, to an extent which had never been equalled in the most flourishing state of this, or of any other manufacture. In 1825, the importation of silk had increased 50 per cent, of cotton 38 per cent, and of tallow 80 per cent. This excessive excitement led to a complete glut of these articles; the consequences to the dealers were, a depression of prices, and unavoidable difficulties; and why should silk be governed by different principles, in this respect, from cotton or tallow? In the year ending 5th January, 1825, the importation of raw silk



amounted to 3,135,000 lbs., and, during the following three quarters of that year, ending on 10th October, to no less than 3,431,122 lbs., being more than the importation of the whole preceding year. The importation again, for the year ending 5th January, 1824, had been only 2,512,164 lbs. Nay, so far was this spirit carried, that, in February, 1825, there appeared in a Macclesfield newspaper, an advertisement to the following effect: "To the overseers of the poor, and to families desirous of settling in Macclesfield. Wanted between 4,000 and 5,000 persons, between the ages of seven and twenty-one years." Thus the manufacturers themselves held out the assurance of the trade being about to become so prosperous, as to suggest a favourable opportunity for families to settle, and for the overseers of the poor to put out parish apprentices. After such efforts to induce so many young persons to flock into Macclesfield, was it wonderful that it should have been soon found out that all this was extravagant, and most imprudent speculation, which speedily led to its usual consequences? or that the silk manufacture should not have been found to be an exception to the re-action and difficulty which had been felt so severely by every other branch of trade.

It was true that the bill of 1824 proceeded upon the idea that a duty of 30 per cent on foreign silks would afford sufficient protection to the home manufacturer; and it was likewise true that this idea was correct. The committee of the House of Lords had not proceeded without the most cautious investigation; instead of acting precipitately, or founding their recommendations on pre-conceived

notions, or theoretical reasonings, they had availed themselves of the best attainable evidence on the subject. Foreign merchants, who had both gone to France, and come to this country to purchase goods, and who, of course, were only interested to procure them on the best terms, declared, that the difference of price between goods of equal quality, bought in France and England, was not more than 20, or 25 per cent. Others had stated that the difference did not exceed 20 per cent, and, in articles of silk hosiery, they would give the preference to the English manufacture both in quality and cheapness. On that occasion, the manufacturers themselves had expressed their conviction, that, with proper guards, they could compete successfully against the continent; and those guards they explained to be, a reduction of the duty on the raw material, and a protecting duty of 15 per cent. The former measure had been adopted; and in regard to the latter, the protecting duty had been fixed, not at 15 per cent, but at 30 per cent. The manufacturers had gotten more than they asked, and no clamour could be more unjust or contradictory than that which was now raised.

In regard to the alleged inferiority of England to France, in some parts of the requisite machinery, the fact, if it existed, was a new proof of the necessity of never returning to the system of entire prohibition. From what cause could that inferiority arise in a country like this, in which every other branch of machinery had been carried to the highest perfection? It could only be accounted for by that system of prohibition, which, if it did not prevent, certainly did not encourage



the application of learning and ingenuity to this branch of industry. Why did the silk trade not enjoy the same advantages of machinery as the cotton-manufacture? because the trade was not open. Hence had arisen the long unimproved continuance of the old defective looms which were used in Coventry. But even already, amid all that had been said of the hopelessness of endeavouring to meet continental competition, this mischief was disappearing, and only the necessity of proper exertion would ever make it disappear. Already power looms had been erected in Manchester, each of which, with the attendance of one woman at 14s. a week, produced 108 yards weekly. This made the cost of the manufacture not more than 3¼d. a yard, while the cost of the same species of article in France was 7d. a yard.

There being, therefore, no reason in principle or in fact, why the House should retrace its steps and return to the former system of universal prohibition, still less could any good be obtained by farther delay, which was confessedly the only object of the motion. Two years had originally been allowed; and the experience of these two years shewed sufficiently what might be expected from farther procrastination. They had been employed, not in preparation, the purpose for which they were granted, but in improvident speculation. Much time was yet to come, which, if properly employed, might be converted to the best purposes; while, if further time were granted, the same arguments would be again used, and a similar attempt would be again made to postpone the execution of the measure to a still more distant day.

It would be an act of injustice to the silk-weavers and their employers to excite in them fallacious hopes by seeming to yield to their expectations; and, as the House evidently neither wished nor intended, that government should abandon the more liberal principles which had now been adopted as the basis of the commercial policy of the country, the wiser and more humane course was, by putting a negative on the motion, to close the discussion for ever.\*

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\* In the course of the debate, Mr. Huskisson mentioned the following circumstance, as illustrative of the groundless jealousies entertained of foreign manufactures. "A French manufacturer, of the name of de Pouillet, came over to England, established his looms, and commenced business. Forthwith the British manufacturers openly stated, that this establishment was nothing but a cover for smuggling foreign goods into the country. My right hon. friend (Mr. Grant) on being applied to, sent for the parties, and put them upon their trial. He heard the charges advanced by the British manufacturers, and then he had the opposite party called in. And what did this indignant foreigner say in reply to those charges—that foreigner, who had come over to this country, where he had embarked and risked a large capital, from the knowledge that here industry and talent were certain to be encouraged? His immediate reply was, "send for my books, you shall see them, and they shall be delivered to you for examination." His books were accordingly brought, and his whole transactions were minutely looked into. The officers of the revenue by this means ascertained the persons employed by him; they went to the houses in which his men were at work, and they found them man for man, employed exactly as they had been described in his books, and upon the very pieces of silk that were there set down. But the inquiry, in order to satisfy the British manufacturers, was prosecuted still farther. Those manufacturers themselves were called upon to select from among them those persons who had most skill and



The motion was negatived by a majority of 222 to 40.

The ship owners, and others connected with the shipping interests, who believed themselves to be affected by the late alterations in the navigation laws, complained, equally with the silk-manufacturers, of the mischievous consequences of innovation. They complained particularly of the system which had been adopted of removing discriminating duties, and allowing articles of merchandize to be imported in foreign vessels, under the same burthens as if they had been imported in British bottoms, on condition of reciprocity in regard to ourselves. They contended in numerous petitions to parliament, that such a reciprocal removal of discriminating duties was ruinous to British shipping; because the British and the foreign owner could never be put upon an equality, unless the

judgment as to the difference between foreign and home manufactured silk, and the individuals so selected, were directed to go and look over the hundreds of pieces of silk in the warehouse of the foreign manufacturer, and to take from among those hundreds, all the pieces of which they had no doubt as to their being manufactured abroad, so as to establish beyond all question, the guilt or the innocence of the individual accused. This was accordingly done, and a report was made, that the persons appointed had selected thirty-seven pieces of silk out of the many hundreds examined by them, of which they had made seizure as contraband goods. What was then done by the foreign manufacturer? He brought from Manchester, and from Spitalfields, the very men who had made every one of those thirty-seven pieces; and it was proved upon oath, to the entire confusion of the accusers, that every piece had been manufactured either in Manchester or Spitalfields. The consequence was, a full and complete acquittal of the foreigner.

latter were burthened with a higher duty. For, said they, in consequence of the greater price of all the labour and materials used, the rate of ship-building is nearly double of what it is in most foreign countries; the cost of navigation, when the ship has been built, is much higher, because the wages of seamen, and the price of the stores and victuals for the seamen, are much higher here than they are abroad. Without a countervailing duty, therefore, laid upon their foreign rivals, they were not put on a fair ground of competition against these rivals. In support of these views they asserted, that, during the last four years, the tonnage of the foreign shipping entering our ports had trebled, while our own trade was declining: that the foreign tonnage entering the port of London, during the last three years, had doubled; that, at this moment, nine-tenths of the shipping coming into the port of Liverpool were American; and that, unless, therefore, it were intended that our navy should dwindle into insignificance, it was necessary to lighten the burthens of the shipping interest, and enable it to compete with the shipping interest of foreign countries.

The petitioners and their adherents in parliament, repeated these doctrines and assertions on every opportunity; but, owing perhaps to the decided approbation which the House of Commons had given to the principles of the government on the debate concerning the silk trade, no attempt was made to bring them formally under the notice of the legislature. Mr. Huskisson, however, to whose department, as President of the Board of Trade, the subject belonged, did



not think it wise or becoming to allow the session to terminate, and parliament to be dissolved, without shewing how groundless these representations were, and stating what had been the real consequences of such changes as had hitherto been ventured upon. On the 12th of May, he moved for "returns of ships built in the British dominions, between 1814 and 1825, both inclusive, distinguishing the number in each year, and the amount of their tonnage." The motion was introduced by a very elaborate, detailed, and masterly speech, displaying a most accurate knowledge of every part of his subject, and great power of stating it luminously to others. Having developed the general principles on which the navigation laws were originally founded, the different objects to which these principles had been applied, the modifications, if any, which, down to the present time had been made upon these objects, and the causes, arising from political and commercial changes, which had rendered such changes advisable or necessary, he stated, that all the allegations of mischief having ensued, and of an undue preference having been given to foreign over British shipping, in consequence of the late alterations on the navigation laws, were contradicted by the actual results. The complaint was, that, in consequence of these changes, a decrease had taken place in the employment of British shipping. Now, in December, 1824, the number of British ships which entered our harbours was 19,164, and the tonnage 2,364,000. The number of foreign ships which entered, during the same period, was 5,280, the tonnage being 66,940. In 1825 the number of British

ships entered was 21,986, the tonnage 2,786,844. The number of foreign ships, in the same period, increased to 5,661, the tonnage being 68,192. And it was to be recollected, that in this year there was an unusual demand for shipping, both British and foreign, in consequence of the unprecedented extent of speculation in almost every branch of commerce. Therefore, on looking to these returns, it was clear that the amount of British shipping had increased in a far greater proportion than that of all other countries put together. This being the case, we were not certainly in such a situation as was calculated to excite alarm with respect to the comparative growth of British and foreign shipping. Even if the latter had somewhat increased last year, it would form no ground of alarm, because it might fairly be attributed to the very extraordinary cause that was then at work, and the unusual demand for shipping, produced by the spirit of overtrading and speculation which prevailed. The alarm felt upon this subject was grounded, in part, upon the state of our commerce from the Baltic, and the number of Prussian ships which entered our ports, as compared with British. Now in 1824, the number of British ships which entered from the Baltic was 440, and, in 1825, 942. The number of Prussian ships which entered were, in 1824, 682, and in 1825, 827. The number of Prussian ships, therefore, increased only by a fourth, while that of British ships was more than doubled. Such was the comparative state of the shipping of both countries in the last year; and, as Prussia seemed to be the main object of jealousy,



when there existed so little ground for it with respect to that nation, we might dismiss our apprehensions upon this point. There was no mode by which the change which had taken place in the trade with the Baltic, could be more accurately ascertained than by comparing the number of all vessels which, in two different periods of ten years, had passed the Sound. He was furnished with the means of making such a comparison between the period which elapsed from 1783 to 1793, and from 1816 to 1826. From such a comparison it appeared, that, in the last year, the number of British ships which passed the Sound was greater than in any previous year since 1783. In 1821 the total number of British ships which passed the Sound was 2,816; the number of ships belonging to all other nations, 9,177: In 1822 British ships, 3,000; of all other nations, 9,000. In 1823 the comparative number was about the same as in 1822. In 1825 the number of British ships was 5,186; of all other nations, 13,000. So that last year we had more than a third of the whole of the navigation through the Sound. These facts were sufficient, or ought to be sufficient, to quiet all the apprehensions which had been excited, and silence all the clamours which had been raised; but it was doubly pleasant to know that these were the results of our measures, when the latter were measures which we could not have any longer avoided. The system of discriminating duties could not have been longer maintained under the changed circumstances of foreign powers. After the American war, great attention had been drawn to the subject, in consequence of the rapid growth of the United States; for, when those

states came to retaliate upon the discriminating duties of this country, by the adoption of a similar system, the duty could no longer be kept up, so far as America was concerned, without leading to disastrous consequences. It became indispensable, therefore, to enter into some arrangement upon the subject with the American government. That having been done, and other nations demanding that the same principle should be extended to them, it was impossible for us to embark in a contest upon the subject without being, in the end, the greatest sufferers. It was much more advisable, under the circumstances, to make arrangements in time. Whether the old system was a good or a bad one, government was no longer at liberty to make a choice; for, what was their situation, with respect to other countries, at the time this change of system was recommended? In 1822 the king of Prussia issued an ordinance, establishing in his dominions the same duties which existed in our own, with a view of inducing other countries, and particularly Great Britain, to act upon more liberal principles of commerce, and to enter into arrangements for that purpose. This order applied equally to ships coming in ballast, and to such as had cargoes on board. The consequence was, that, in 1823, government was assailed with memorials from all quarters, stating, that it was impossible any longer to carry on the trade with Prussia, owing to her heavy port charges. A communication in consequence was made to the Prussian minister here; but with what show of reason or justice could we complain of this, we who had set the example? The natural answer was,



that Prussia had nothing else in view, but to induce us to re-consider our own system. In such a situation of affairs, if we had embarked in a contest of prohibitory duties, all commercial intercourse would have ceased between the two nations, except that carried on in their own ships. Such being the state of things, a discussion was entered into with the Prussian government, and the question was put, will you withdraw all discriminating duties, if we do the same? The answer having been in the affirmative, an arrangement was entered into upon that basis. Similar arrangements were made with Denmark, Sweden, Norway, and the Hanseatic cities of Ham-  
burgh, Bremen, and Lubeck. It would have been unworthy of this country, if, while extending this principle to America, and some of the powerful states of Europe, it had been refused to those little republics which, in the feudal times, were the means of preserving the seeds of liberty and free trade. Small these states might be; but they were not unimportant, and it was our duty to treat them with equal generosity and justice as the greatest. Perhaps if Dantzic had still formed a component part of that combination of free cities, instead of having passed under the dominion of Prussia, there might not have been so much danger in Prussia insisting upon a principle, the tendency of which was to exclude us from commercial intercourse with her ports, because that commerce might have been carried on through Dantzic.

The motion was agreed to; sir M. Ridley expressing his hope, that the subject would receive a full investigation in the next parliament.

The only change made upon the Navigation-laws during the session was rendered necessary by the commercial treaties which had been concluded between this country and Colombia, and the United Provinces of the Rio de la Plata. When these states emerged from the condition of colonies into that of independent republics, they were in possession of no commercial marine of their own. In their state of colonial dependency on the mother countries, they had possessed no trade, and consequently no ships. But the British Navigation-laws, even as they at present stood, imposed burdens upon the importation of foreign produce, if not imported in vessels belonging to the country of which the cargo was the produce, which were not imposed upon national vessels bringing a national cargo. As Colombia, however, and the states of the Plata, possessed no national ships, it was deemed right to allow them a fair and reasonable time to procure ships, before they should be placed on the same footing with long-established countries: otherwise the treaties, so far as regarded the permission to import their produce into this country, would be nugatory. It would have been unfair, on the first establishment of commercial relations with them, to compel them to employ only their own shipping, when, in fact, they had none. It had therefore been stipulated in the treaties, that vessels, where-soever built, being the property of any of the citizens of either republic, should be considered as national vessels of that republic, the master, and three fourths of the mariners of the vessel, being always citizens of such republic. A bill to give effect to these



stipulations was brought in by Mr. Huskisson, and was passed without any opposition, except what was founded on opposition to the general principles of commercial policy, of which parliament had so repeatedly and deliberately, approved. The duration of the privilege was limited by the statute, to seven years from the date of the respective treaties; and, as

treaties of a like nature might be concluded by his majesty with other states of South America, not yet possessed of any national mercantile marine, the same provision was extended, in the same terms, to states with which such treaties might be formed.\*

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\* 7 Geo. IV. c. 5.



## CHAP. III.

**FINANCE.**—*The Budget—Mr. Maberly's Resolutions on the National Debt—Mr. Hume's Motion on the State of the Nation, and Forty-five Resolutions regarding the Finances—Opposition to the Navy Estimates—Mr. Hobhouse's Motion to reduce the Army—Discussion on the Expense of the Diplomatic Establishments.*

ON the 13th of March, the chancellor of the Exchequer opened the budget. Not confining himself to the mere statement of the ways and means of the year—of the money to be expended, and the modes in which it should be raised—he took a large review of the whole financial system, particularly of the reductions which, during several successive years, had been made in taxation, and of the effect of these reductions on the productiveness of the revenue. The reduction of taxes had begun in 1816 with the repeal of the property tax. Government unquestionably had been anxious that, in the circumstances of the country, that source of revenue should have been retained for two years longer; the House had thought otherwise; and, whether government had been wrong or parliament right, the people gained all the advantage of the repeal of this tax, the amount of which was no less than £.14,320,000. In the same year (1816)

there were repealed:—

The War Malt Duty .....	2,790,000
The War Customs, Tonnage, &c. ....	828,000
Hearths and Windows, Ireland .....	35,000
Malt and Spirits .....	315,000

Making a total of Taxes repealed in 1816 .....£18,288,000

In 1817 there were repealed or diminished taxes in England,

which might be estimated at 280,000*l.* In 1818 there were remitted various assessed taxes for Ireland to the amount of 236,000*l.* In 1819 the policy pursued by parliament was of a different character. A very considerable increase of taxation, amounting to more than 3,000,000*l.* was that year made. In 1820 no change in the amount of our taxation took place. In 1821 the agricultural horse tax was remitted to the amount of 480,000*l.* In 1822 the following duties were taken off:—

Malt .....	£.1,400,000
Hides .....	300,000
Salt .....	1,295,000
Tonnage duty.....	160,000
Hearths and Windows, Ireland .....	200,000

Total, repealed in 1822....£.3,355,000

In 1823, there were repealed

Various Assessed Taxes in England .....	£.2,250,000
Ireland, the whole .....	100,000
Spirits, Ireland and Scotland .....	800,000
Customs, Reduction in several minor Branches..	50,000

Total, repealed in 1823 .. £.3,200,000

In 1824, the following taxes were repealed:—

Rum .....	£.150,000
Coals .....	200,000
Law Stamps .....	200,000
Wool .....	350,000
Silk .....	527,000
Union Duties, from 1822....	300,000

In all ..... £.1,727,000



In the year 1825 the following Duties were repealed:—

Remainder of the Salt, about .....	£200,000
Hemp .....	100,000
Coffee, &c. ....	150,000
Wine .....	900,000
British Spirits and Rum ..	1,250,000
Cyder .....	20,000
Assessed Taxes .....	276,000
Customs on various minor branches of Commerce, amounting in all to ....	250,000
Total repealed in 1825 ....	3,146,000
So that the total of taxes repealed from 1816 to 1825, amounts to the sum of .....	£.30,712,000
From which must be de- ducted the amount of Taxes imposed in 1819 ..	3,190,000
Leaving therefore a total re- mission of Taxes since the year 1816 of .....	£.27,522,000

While twenty-seven millions of taxes had thus been reduced, that reduction, so far from affecting the revenue of the country, and diminishing the productiveness of its various branches, had, in fact, given to them new energy, and justified every anticipation. He had been accused, he said, of uttering promises of prosperity which had not been fulfilled, and holding out prospects of increasing resources which had ended in disappointment; but the results of the last three years, 1823, 1824, and 1825, would sufficiently shew, that he had erred neither in his calculations, nor in the facts and principles on which they were made. A reference to the finance accounts would prove, that, in respect of each of them, not only were the expectations which had been held out to the House in 1823 completely realized by the event, but that they were absolutely exceeded in a degree which the most sanguine

man in the kingdom could never have had the confidence to anticipate. In 1823, upon an estimate founded on the basis of the revenue of the preceding year, he had assumed that the customs, the excise, the stamp duties, the post office, the assessed taxes, for England and Ireland, and sundry miscellaneous items, taken together, would produce an income of about 52,200,000*l.* The taxes repealed in the course of that session amounted to about 3,200,000*l.* During the period of the same session, he had calculated that there would be a loss to the revenue of 1,500,000*l.* arising from various causes; so that, in point of fact, the calculation would have been entirely verified, if the receipts for 1823 had been 1,500,000*l.* less than 52,200,000*l.* Now the actual receipts of the year were 52,018,000*l.*, being less than the sum at which he had estimated them previously, and less, let it be observed, notwithstanding the amount of taxes repealed in that year, by the sum of 182,000*l.* only. In regard to the year 1823, therefore, no expectations had been held out, which were not amply fulfilled. In the following year, the revenue which he had anticipated upon the same items, was 51,265,000*l.* He had proposed the repeal of taxes during that twelvemonth to a very considerable amount, and calculated that the amount of loss, which the revenue would sustain that year, would be 530,000*l.* But the actual produce of the year's receipts, notwithstanding such a reduction of taxes, was positively more than the original estimate; for, the estimate being 51,265,000*l.*, the actual produce was 53,562,000*l.*; so that the actual produce of 1824 yielded very nearly 1,300,000*l.* above the



estimate which he had formed, although a considerable reduction of taxes had taken place. Again, as to the year 1825;—the estimated revenue was 51,975,000*l.* On account of the taxes remitted, and other causes, he had expected that the loss upon the year's income would be somewhere about 650,000*l.*; and yet the actual receipt, notwithstanding the losses occasioned by the commercial difficulties that began to be felt at the latter end of 1825, was upwards of 52,250,000*l.*, being very considerably more than the original estimate founded upon the assumption that there would be no reduction of taxes at all. The result of all these statements was, that,

The estimated amount of revenue for the last three years taken together, was .....	155,440,500
The actual receipts for the same period .....	156,838,500
Exceeding the Estimate therefore by .....	1,398,000

And yet, during these three years, taxes to the amount of no less than eight millions had been repealed. Thus, even more than what had been promised, had been performed; and it had been distinctly proved that the reduction of duties on articles of consumption had raised the produce of such duties by increasing that consumption, and had thus kept up the revenue, while it added largely to the comforts of the people. The increase of consumption in different articles in 1825, as compared with 1816, was various, but it was uniform. Some of them were as follows:

On the consumption of	per cent.
Beer, the increase in 1825 was ...	16½
Candles .....	36
Paper .....	55

Tea .....	20
Leather.....	29
Malt .....	50
British Spirits .....	53
Sugar .....	19
Coffee.....	43
Tobacco.....	13
Wine .....	88
Wool .....	44

In the expense, too, of collecting the revenue, a large saving had been effected. In 1818 that expense had amounted to 4,353,000*l.*; in 1825 it had been reduced to 3,832,000*l.*, being a diminution of more than half a million.

While taxation, and the cost of collecting, had been thus diminished, both the principal, and the yearly charge, of the debt had likewise been reduced. On the 5th of January, 1823, the funded debt amounted to 796,530,000*l.*; on the 5th of January, 1826, the funded debt was reduced to 778,128,000*l.*, being a reduction, in the three years, of 18,401,000*l.*; or at the rate, in each year, of 6,133,000*l.* On the 5th of Jan. 1823, the unfunded debt was 36,281,000*l.*; on the 5th of Jan. 1826, it was only 31,703,000*l.*; being a reduction of 4,577,000*l.* The reduction in the total charge of the debt, is the true way of estimating the real reduction effected in the burdens of the country, rather than by looking only at the reduction in the capital of the debt. Now on the 5th of Jan. 1823, the charge on the funded debt was 28,123,000*l.*; on the 5th of Jan. 1826, it was only 27,117,000*l.*; being a reduction of 1,107,000*l.* On the 5th January, 1823, the interest on Exchequer bills was 1,100,000*l.*; on 5th Jan. 1826, it was 800,000*l.*; being a reduction of 300,000*l.* Taking both together, the charge on the funded and unfunded debt was on



the 5th Jan. 1823, 29,286,000*l.*; and on the 5th January, 1826, 27,946,000*l.* being a reduction in the annual charge of the whole debt of 1,339,000*l.*, in three years. It was of no consequence in what manner this reduction of charge was effected, whether by the operation of the sinking fund, or by some other means; the fact of the reduction was certain; and it was by the reduction of the charge that we ought to estimate, if we wished to estimate it correctly, the reduction of the burden of the debt. "If, therefore," said the right hon. gentleman, "while the people of this country have had their burdens thus diminished, every thing has been done by government and the legislature, which the honour, the security, and the advantage of the country required; if we have been enabled extensively to increase the means of religious worship; if we have added to the roads, the bridges, the harbours, of the kingdom; if we have spared something to the promotion of science and the arts; and if, during the last three years, we have reduced the taxation of the country eight millions, and have diminished the expense of the debt above a million, we have at least done something, and may boldly face our constituents in whatever part of the country, and at whatever time we may be called upon to appeal to them."

With resources thus increasing under diminished taxation, and a reduced rate of expenditure, he stated, as follows, the proposed expenditure of the present year, and the funds by which it was to be met. Under the first head were many expenses of a permanent nature, which the House had already sanctioned by its vote, as follows:—

Interest and Management of the Funded Debt	....£.27,117,186
Interest of Exchequer Deficiency Bills	..... 50,000
Civil List, &c.	..... 2,065,000
Half-pay Annuity	..... 2,800,000
Sinking Fund	..... 5,585,235

Permanent Charge ..£.37,617,421

The Annual Votes this year in the Committee of Supply were as follows:—

Army	.....£.7,747,000
Navy	..... 6,135,000
Ordnance	..... 1,754,000
Miscellaneous	..... 2,225,000
Interest of Exchequer Bills	..... 850,000

Annual Votes .....£.18,711,000

Add the Permanent Charge ..... 37,617,421

The whole Expenses of the Year .....£.56,328,421

The Revenue calculated on for the purpose of meeting this expenditure was composed of the following items:—

First, a small item of a surplus of 1825, in the Sinking Fund now available	.. £.167,000
The Customs and Excise	.. 37,446,000
Stamps	..... 7,400,000
Taxes	..... 4,800,000
Post Office	..... 1,550,000
Miscellaneous	..... 1,360,000

£.52,723,000

Add the payments to the Trustees of Half-pay and Pensions ..... 4,320,000

£.57,043,000

Deduct the Expenditure .. 56,328,421

Surplus for Parliament to deal with as they may think fit ..... £.714,579

The estimate of the revenue for the current year, considering the unfortunate state in which manufactures and commerce had been placed, might be considered as too high, but it was taken upon the following grounds:—The Customs and Excise yielded, in 1825, 37,546,000*l.*; but in that year their amount had been diminished



by different causes, which, during the present year, would not be in operation. Thus, in 1825, no less a sum than 1,050,000*l.* of duties, had been refunded to dealers in wine upon the stock in their possession. In consequence, likewise, of the alterations in the system of bounties which had been effected during the preceding session, there would this year be a reduction of 50,000*l.* Another, and an unforeseen diminution of the revenue had arisen from an oversight in the new acts for simplifying the whole system of the customs. It had been intended that the duty on tobacco should continue to be four shillings, the rate at which it stood in the beginning of the year; but by some mischance, scarcely avoidable where such a mass of scattered and minute regulations were to be dealt with, the unintentional but practical effect of the new acts had been, that one shilling of the duty had lapsed; and the duty having thus been, for the latter half of the year, only three shillings, instead of four shillings, that branch of the revenue fell 450,000*l.* short of what it would otherwise have yielded. These deductions from the revenue of 1825 exceeded a million and a half; yet, as they could have no place during the present year, they ought to be added to the 37,546,000*l.* received independently of them in the preceding year; and the customs and excise would present, for 1826, a revenue of 39,096,000*l.* But as, in the present state of the country, still labouring under the pressure which it had felt for so many months, it would be unwise and improvident to calculate on a revenue equally large with that of 1825, all the items had been taken

below their proceeds in the last year, and due allowance made for other unavoidable deficiencies. There would be a deficiency of 350,000*l.* arising from the reduction of taxes in 1825, and a deficiency of about 1,300,000*l.*, in the excise, produced by diminished consumption. Allowance for all this had been made in the estimates; and the stamps, the post-office, and the assessed taxes, had all been taken at lower rates than they had yielded last year, the stamps being estimated at 48,000*l.*, the post office at 46,000*l.*, and the assessed taxes at 190,000*l.*, less than had been received from them in 1825. On the other hand the miscellaneous items had increased. A sum of 100,000*l.* was due from Holland, under a treaty with that government, and ought to have been paid in 1825. It had not been paid; but, having been now remitted, it would go to the service of the current year. About 108,000*l.* would be received from lotteries; for, although the last lottery had been contracted for two or three years ago, its existence was protracted, in consequence of the usual course of conducting lotteries, for two or three years after they had been contracted for. In consequence of an arrangement with the East-India company, that corporation had become bound to pay 60,000*l.* in consideration of an increase of our naval force for the security of their possessions. The new silver coinage for Ireland had cost the country last year 500,000*l.*: in the present year the old coin would come back, and be available for the public service, to the amount it was calculated, of about 400,000*l.* With these additions to the usual revenue, making every allowance for the probable depres-



sion of that revenue, arising either from direct reduction of taxation, or from diminished consumption, there would still remain a surplus of 714,000*l*.

In regard to the debt due to the Bank, which, it had been alleged, fettered the Bank in its operations, and disabled it from giving to the public that aid which it would otherwise have the means of affording, the chancellor of the Exchequer allowed, that it would be a very desirable object to effect a reduction in the amount of the advances made by the Bank, by which that debt had been constituted. The Bank held Exchequer bills of two sorts: the first sort consisted of bills upon which the Bank had originally and directly advanced money to government. The other sort were bills which they had purchased in the market, without any advance to government, and which they might have sold without affecting their transactions with government in regard to the former. Of the first sort of bills, the Bank held, on the 5th of January, 1826, 6,000,000*l*. In February, for the purpose of relieving the money market from the pressure which seemed to operate on this species of security, the Bank had purchased to the amount of 2,000,000*l*, upon an undertaking by government that they should be repaid in the course of the present year. The Bank was farther a creditor of the government for rather more than 3,000,000*l*, advanced for the purpose of paying off the four per cent dissentients: but provision had already been made for these last advances by charging them upon the sinking fund, and, at the close of the present year, they would be very nearly extinguished.

There still remained, therefore, about 8,000,000*l*, which it was the intention of government to pay off as convenience and their means allowed; and to begin by repaying to the Bank, during the present year, the 6,000,000*l*. of Exchequer bills, upon which direct advances had been made to government.

The statement of the chancellor of the Exchequer, holding out much happier prospects than, from the distress which prevailed in the country, could have been anticipated, was received by the House with general satisfaction. Mr. Maberly, however, and Mr. Hume maintained, not only that there had been no reduction of the public debt, but that there had been an actual increase both in the capital, and in the annual charge, and that taxation had been raised, instead of being diminished. The capital of the debt, it was alleged, had been augmented by no less a sum than 61,646,000*l*. between 1819 and 1826, and the annual charge had grown in proportion. This assertion rested entirely on a very obvious fallacy, arising out of a total misapprehension of the nature of what is called the dead-weight-scheme, and of the arrangements, which, in pursuance of it, had been made with the Bank for discharging part of the half-pay and pension list. Mr. Hume's assertions, that taxation had increased during the last three years, was still more obviously and utterly erroneous. When such assertions are hazarded in direct opposition to figures, and the votes of the House proving that, from 1816 to 1825, more than twenty-seven millions and a half of taxes had positively been reduced, and no new taxes imposed, they argue great



confusion as to facts, or great obliquity of intellect in the person who considers them. The taxes, said Mr. Hume, produced in

1817 .....£. 51,183,000

1818 ..... 52,000,000

1819 ..... 51,000,000

But, in each of the then following years, more money had been taken from the people than in 1817, 1818, and 1819. The amount of taxes raised in

1823 was £. 52,561,000

1824 ..... 52,685,000

1825 ..... 52,540,000

It was, therefore, he argued self-evident, that, in the eleventh year of peace, when the people had a right to expect some relief from taxation, they were actually paying a million more annually than they had done in the years which immediately followed the conclusion of the war. But Mr. Hume, while he could not pretend that new taxes had been imposed, or deny that many old ones had been repealed or reduced, forgot that the increase of the revenue was merely the result of an increase in the consumption of excisable articles, and that this increased consumption was the effect of the reduction of the Excise duties. That reduction, by lowering the price of the articles, both enabled many persons, beyond the reach of whose means they had formerly been placed, to become consumers, and enabled those who had always been consumers to become consumers to a greater extent—and all this was a direct addition to the comforts and enjoyments of the people. In one sense the country may have paid more than before; but that was only because people had it in their power to enjoy a greater quantity of necessaries or conveniences. The increase of

revenue with diminished duties was the best index of the increase of comfort among the great mass of the population.

The state of the public debt, subsequently underwent much more lengthened and detailed discussion on two different occasions; and on both occasions the great questions were, not whether it ought to be reduced, and might be reduced, but, what was its actual amount, and whether in point of fact, any diminution of it had been effected during late years. On the 10th of March, the chancellor of the Exchequer having moved that the House should go into a committee of supply, the Speaker's leaving the chair was opposed by Mr. Maberly, who brought forward, as an amendment, a series of resolutions concerning the state of the unfunded debt, the effects of the measure called the dead weight, and the real amount of the funded unredeemed debt. The amount of unfunded debt in Exchequer bills was, on the 6th January, 1826, thirty-seven millions and a half; and these securities, he said, were so apt, from their very nature, to bring both the government and the Bank into sudden difficulties, that the reduction, or the funding of them ought never to have been lost sight of. On the 11th of October, 1825, there were 20,160,000*l.* receivable as revenue, and then due, being in fact promissory notes payable on demand, while government had not a shilling with which to meet them. The consequence was, that, on any depreciation of these securities, government, in order to prevent them from being paid in as revenue, was compelled to take measures to keep up their value; and as this was always effected by



means of the Bank, the Bank in its turn was hampered by its connections with the transactions of government. In December 1825, Exchequer bills were at a discount of 80s.; government became apprehensive that they would become revenue; the Bank was sent into the market, and, by purchasing, brought them up to par. In addition to this, the interest was raised from  $1\frac{1}{2}d.$  to  $2d.$  *per diem*, to guard against any extraordinary depreciation; yet, in the following February, they were again at a discount of 21s., and the Bank again came into the market, and, by its purchases, brought them up to par. Various circumstances might have prevented the Bank from making these purchases without injuring its own credit; and the consequence would have been that, by the paying in of these bills as revenue, the Exchequer would not have possessed the means of paying the dividends, unless the Bank had been able to advance the whole amount. But as the Bank had already advanced 5,548,817*l.*, to pay the January dividends, it was highly improbable that it could, at such a moment, have advanced an additional sum of upwards of three millions (which would have been required) without placing itself in a most hazardous situation. The Bank had been able to avert these consequences by its purchases; but, as it might often turn out otherwise, nothing could be more improvident and unwise than to allow so large an amount of an issue of so dangerous a nature, to remain unfunded. He, therefore, moved as a resolution, "That notwithstanding the low rate of interest which has been paid on Exchequer bills, it has been both inexpedient and dangerous to leave so large an

amount of debt unfunded; that it might have been funded on most advantageous terms, and at a saving of some millions to the country, whilst, by leaving it unfunded till a period of political difficulty arrives, it cannot fail seriously to affect public credit, and to impair the energies of the country; and that it appears, therefore, to this House, that it is highly expedient to reduce the unfunded debt within more reasonable limits."

The other resolutions of Mr. Maberly went to impeach the accuracy of the official returns of the national debt, as having stated it more than an hundred millions below its real amount. First of all, the dead-weight had made an addition to the debt of nearly seventy-five millions. That arrangement was, in fact, a grant by government of an annuity of 2,800,000*l.* for a term of forty-five years. The value of this annuity, now that it had  $41\frac{1}{4}$  years to run ( $3\frac{3}{4}$  years of the term having elapsed since it was first granted) was 74,632,000*l.*; and to this extent, the transaction was the raising of a loan by the country, and an addition to the public debt. The whole measure was one of the most dangerous and improvident to which recourse had ever been had; and it was not less so, because the Bank had been induced to purchase a part of this annuity, for which they had advanced 13,000,000*l.*, while there was no probability of their being able to sell what they had thus locked up their funds in buying. So far as it remained unsold, the act authorizing the arrangement ought immediately to be repealed. By disregarding this burden, as well as some others, the amount of the public debt had been stated by



government at more than an hundred millions below its real amount. That statement omitted altogether the debt due on the life annuities and long annuities ; no value had been put upon this large proportion of the public debt, any more than on the dead-weight : but the value of these charges, according to the statements of the government's accountants, exceeded 101,000,000*l.*, a sum which must be added to what had hitherto been held out to the country as the total amount of the debt. On the 5th of January, 1819, the debt was 832,000,000*l.* ; and, since that period, notwithstanding the boast of a Sinking-fund, and all the amount of our annual taxation, it had increased enormously. From returns signed by officers at the National Debt office it appeared, that, in January, 1826, the debt was 61,646,636*l.* higher than in January, 1819, the life annuities being valued, in both years, upon the same principles. A consequence, and at the same time a proof, of this increase in the debt, was the increase in the annual charge, which, in 1826, exceeded that of 1819 by 31,395*l.* Thus, in the course of seven years, the capital of the debt had been increased by nearly 62,000,000*l.*, and the annual charge, by more than 31,000*l.* ; although government considered themselves to have saved the country between 1,500,000*l.* and 1,600,000*l.* by the conversion of the five per cents into four per cents. The resolutions now proposed stated the fact, that by granting an annuity of 2,800,000*l.* for forty-five years, the amount of the public debt had been increased by a sum equal, according to returns made to the House, in March, 1826, to 74,632,051*l.* :—that, exclusive of the portion of such annuity which

had been purchased by the Bank of England, nearly 50,000,000*l.* still remained unsold ; that, under present circumstances, it would be inexpedient to sell the remaining part, and would be expedient to repeal so much of the act creating the annuity as related to the part unsold, and to charge the amount necessary for defraying naval and military pensions from July, 1828 (up to which period the annuity had been purchased by the Bank), on the consolidated or sinking fund : and further, “ that the capital of the funded unredeemed debt of the United Kingdom stood in the finance accounts, on 5th January, 1825, at 781,123,222*l.* 15*s.* 6*d.* : whereas the real capital debt of the country approaches to nearly 900,000,000*l.* inasmuch as the capital of the terminable annuities is not included in the above sum.”

On the other hand, the chancellor of the Exchequer, and Mr. Herries, maintained that it was impossible to conceive any thing more imperfect, and more confused, than the views on which these resolutions were founded, or any thing more fallacious than the supposed facts which they pretended to embody. Nothing could be more inconsistent with truth, than to accuse government of having been inattentive to the reduction of the unfunded debt. In 1816, on the termination of the war, that debt had amounted to 61,000,000*l.* in January, 1824, it amounted to only 31,000,000*l.* a reduction of nearly one half. In 1818 the bullion committee had recommended a reduction of the unfunded debt to the extent of about 10,000,000*l.*, and with this recommendation government had not only complied, but had gone beyond it, a reduction having been effected, not of



10,000,000*l.* but of nearly thirteen millions and a half. On January 5th, 1819, the amount of unprovided Exchequer bills in the hands of the Bank, and of the public, was 19,480,000*l.*; and, on January 5th, 1826, it had been reduced to 6,139,000*l.* This reduction had been effected principally in the first three years, from 1819 to 1822, during which 10,000,000*l.* had been reduced, in conformity with the recommendation of the bullion committee; and, in the course of the three following years, a farther reduction of upwards of 3,000,000*l.* had been effected. Facts like these sufficiently vindicated government from any charge of having neglected the reduction, or having been favourable to the growth of the unfunded debt. It could be reduced only in one of two ways, by converting the Exchequer bills which constituted it into stock, or by raising money to pay them off. Now it had been the opinion of government that the country would gain more by reducing the taxes, by encouraging manufactures and commerce, by reducing the Customs, and striking at the prosperity of the contraband trader, than by funding a greater quantity of Exchequer bills; and on that opinion they acted. Besides, at no time since 1818, could the funding of Exchequer bills have gone on, without loss to the public. If the whole sum of 44,000,000*l.* the amount of the unfunded debt, provided and unprovided, in the hands of the Bank and the public in January, 1819, had been funded in that year, it would have cost the country an additional charge of 5,125,000*l.*—

if in 1820 .....	£. 5,352,000
· 1821 .....	4,126,000
1822 .....	2,692,000

1823 .....	2,469,000
1824 .....	1,017,000
1825 .....	520,000

This proceeded, indeed, on the supposition, that the whole amount had been funded; but the funding of any part of it would have brought upon the country a proportional additional charge. To complain of government not having funded largely in 1823, was to complain of the absence of mismanagement. The funds in that year had not been between 90 and 100, as they were in subsequent years. They were about 72 when the dead-weight arrangement was entered into, and 74 in the April following. To have funded at such a price would at once have roused in wrath against government all the economical propensities of the supporters of the present resolutions. In 1824, again, the high price of stocks presented another difficulty; for, when stock was high, funding was no easy operation, however desirous government might be to effect it, because the holders of Exchequer bills were then unwilling to part with them unless they received a premium. Moreover, it would have been most inconsistent to have attempted to fund a mass of Exchequer bills, at the same time when they were proposing to reduce the 4 per cents. The latter measure might have been a wise one, or it might not, but it would have been utterly impracticable in connection with the funding of Exchequer bills: it was necessary to relinquish the one measure or the other. Yet, even in 1824, government had been enabled, by the productiveness of the revenue, to pay off a large amount of deficiency bills.

The resolutions were negatived



without a division; and the chancellor of the Exchequer, a few days afterwards, expressed his intention of repaying the Bank, during the year, six millions of the Exchequer bills held by them, and of funding eight or nine millions more.

The same topics, and, along with them, almost every topic connected with the state and management of the finances, were again brought before the House by Mr. Hume on the 4th of May, by a formal motion on the state of the nation. Although motions of this kind had commonly been introduced with the intention of interrupting or embarrassing ministers in the measures which they might be pursuing, he disclaimed having such an object in view on the present occasion. He said that his only purpose was, by drawing the attention of the House to the statements which had been put forth concerning the financial situation of the country, to remove the delusions which these erroneous statements had produced and fostered, and to prove that we were pursuing a course of extravagance, and were enduring an amount of taxation which no community ever had borne, or ever could bear.

The motion was preceded by a series of no fewer than forty-five resolutions, embracing almost every point of financial discussion, and perplexed by an infinite variety of minute details. This perplexity was far from being diminished by the manner in which the mover thought proper to treat his subjects—not arranging his resolutions in any connected series, nor yet keeping such of them as regarded one topic distinct from, and independent, of those which were applicable only to another.—In substance they related to the reduction of the public debt since the termi-

nation of the war—the reduction of taxes—the diminished consumption of exciseable articles—the sinking fund—the dead-weight—and the burden and patronage of the naval and military establishments.—The assertions contained in the resolutions, so far as related to the reduction of the debt, was this: “That the assertions made to this House by the chancellor of the Exchequer, on the 3rd of March, 1823, that a reduction of 24,766,520*l.* in the capital of the unfunded debt had been effected by the operation of the sinking fund, from the termination of the war up to 5th January, 1823; and again on 13th March, 1826, that a farther reduction of the public debt of 18,401,000*l.* had been effected between the 5th January, 1823, and the 5th January, 1826, making together a reduction of 43,167,520*l.* in the capital of the public debt, since the termination of the war, are not consistent with the accounts before the House, as appears by the facts contained in the following resolutions.” These facts, on which was made to rest this charge against government of having misled the country either from gross ignorance or by statements deliberately false, were said to be found in comparing the present amount of the debt with what it had been in the beginning of 1817. On 5th January, 1817, the funded debt amounted, in round numbers, to 796,000,000*l.* and the unfunded to 50,000,000*l.*; the total being 846,000,000*l.* On 5th January, 1826, the amount of the former was 778,000,000*l.*, and that of the latter 41,000,000*l.*; the total being 819,000,000*l.* The decrease of capital, therefore, was only 27,000,000*l.* Of these twenty-seven millions, eighteen consisted



of the reduction in the funded debt; and of this 18,000,000*l.*, 7,000,000*l.* had been cancelled without the aid of any surplus revenue. Thus there was for—

Life Annuities cancelled ..	£.5,730,212
Land-tax redeemed .....	805,992
Unclaimed Dividends ....	185,452
Five per Cents paid off....	82,840
Transfer of Capital from England to Ireland, and <i>vice versa</i> .....	129,789
	<hr/> £.6,934,285 <hr/>

Whence it appeared that only 11,000,000*l.* of the funded debt had been actually reduced. The annual charge upon this debt, however, was of much greater importance. In 1817 it was 29,870,853*l.*, and on the 5th January, 1826, 27,679,856*l.*; being a reduction, during the intervening period, of 2,190,000*l.* The charge on the unfunded debt on the 5th January, 1817, was 2,051,242*l.*; and on the 5th January, 1826, was 1,256,482*l.*; being a reduction of 794,000*l.* on the interest of the unfunded debt. The total reduction was 2,985,000*l.* Now this reduction had been effected to the amount of nearly 2,000,000*l.* independently of the sinking fund, or any surplus revenue. The several items of this part of the reduction on the annual charge were these—

Imperial Annuities expired in 1819 .....	£.230,000
Exchequer Annuities ditto	18,750
Long Annuities cancelled for Life Annuities.....	17,490
Conversion of 5 into 4 per Cents .....	1,207,137
Ditto 4 into 3½ ditto.....	381,035
	<hr/> Total £.1,854,412 <hr/>

making thus a total of upwards of 1,800,000*l.*, exclusive of cancelled dividends and of dissentients dis-

charged from the funded and added to the unfunded debt. The total amount of the revenue of the United Kingdom, received in the nine years, 1817—1825 (and exclusive of all sums received for loans or dead weight), was 531,266,535*l.*, and the total amount of expenditure, including every charge for interest of debt, and the civil and military establishments during the same period (exclusive only of payments to the commissioners of the sinking fund), was 508,309,614*l.* showing a clear surplus of revenue of 22,956,922*l.*: which, with the sums paid by Austria and the East-India Company, make an amount of money of 25,965,539*l.* disposable for the redemption of debt, exclusive of 6,917,569*l.* received from the Bank of England in the three years 1822—25, in part payment of an annuity of 585,740*l.* for forty-five years. What had become of these 26,000,000*l.* of surplus money? There was no sensible reduction of the debt in the mean while — no reduction of the capital; no reduction of the charge. For, although there thus appeared to have been in the nine years, 1817—25, a disposable surplus revenue of 25,965,539*l.* (exclusive of 6,917,569*l.* received from the Bank for annuity, in the three years 1822—5) there had only been a reduction in the capital of the funded and unfunded debt, during the same period, of 20,393,495*l.* whilst the finance accounts shewed no decrease of the annual charge that would not have been effected by annuities fallen in, cancelling or conversions of stock, and diminution of interest on unfunded debt, without reference to the surplus revenue.

Ministers, therefore, it was con-



cluded had been guilty of misleading and deluding the country concerning the diminution of the debt, and of its charges. The great instrument in producing this delusion had been itself one of the grossest of all delusions, viz., the Sinking-fund, the operation of which, Mr. Hume had no hesitation in declaring, had added little less than two hundred millions to the debt, from the time of its establishment up to the year 1817—assuming the same proportions of actual charge, and the charges which, but for its existence, would have been saved on loans, &c. His resolutions, therefore, asserted: “That no nation or body corporate, in their collective capacity, can derive pecuniary benefit or advantage of any kind, by merely trading with themselves; and therefore the Sinking-fund system of Great Britain, established solely for the purpose of the nation trading in its own obligations, was founded in fallacy, and has been maintained by delusion. That the Sinking-fund system is not only useless for any beneficial purpose to the state, but highly objectionable, from the loss it occasions, and from its direct tendency to promote a system of speculation and gambling, altogether inconsistent with the well-being of the country; and therefore, ought to be forthwith abolished.” This, he said, was proved, not only by the enormous charge of management which that fund entailed upon the country but also by the immense actual loss of capital which it had occasioned to the country, between 1794 and 1817, amounting to not less than 35 millions. On one occasion government wanted to borrow 5,000,000*l.* only. An individual would have gone into the market, and raised that

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sum on the best terms he could. But because of the necessity of providing for this delusive Sinking-fund, the government on that occasion raised a very much larger sum, and upon terms unfortunately disadvantageous in proportion to the amount of such loan. On every occasion the result had been the same; and the mischiefs and fallacy of the whole plan were evident from the details embodied in the following resolutions.

“No. 21.—That by a return made to this House, the total *nett revenue* of Great Britain (exclusive of loans) for twenty four years, between the 10th day of October, 1792, and the 5th day of January, 1817, appears to have amounted to 1,126,640,417*l.*; and the total expenditure (exclusive of all sums paid to the commissioners for the reduction of the national debt), during the same period, appears to have amounted to 1,533,628,631*l.* being an excess of expenditure over revenue of 406,988,214*l.*; but as three quarters of a year from the 5th day of January to the 10th day of October, 1799, appears to have been stated twice, three fourths of the excess of expenditure in 1799 require to be deducted, making the actual deficiency of revenue to be about 393,000,000*l.*

“No. 22.—That, although the actual revenue during the twenty-four years, from 1793 to 1816 inclusive, fell short of the expenditure only about 393,000,000*l.*, it appears by a series of resolutions submitted to the consideration of this House on the 25th of July, 1822, that an amount of no less than 618,163,857*l.* of money was raised by loans and Exchequer bills, during the said period of twenty-four years, viz. from 1793 to 1816 inclusive.

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"No. 22.\*—That, by the sixth of the before-mentioned series of resolutions, it appears, that whilst 618,163,857*l.* of money was raised by loans and Exchequer bills between the 10th day of October 1792, and the 5th of January, 1817, that 188,522,348*l.* only was paid to the commissioners for the reduction of the national debt, leaving the enormous sum of 136,641,517*l.* totally unaccounted for.

"No. 23.—That, by another account, presented to this House in 1822, it appears, that in the year 1815, annuities of different denominations, all in perpetuity, were created to the amount of 3,083,621*l.*, equal to 102,787,334*l.* of three per cent stock, for which only 53,819,786*l.* money was received, being at the rate of 100*l.* of three per cent capital created for every 52*l.* 7*s.* 2*d.* of money received.

"No. 24.—That, by another account, presented to this House in 1825, it appears that between the 5th January, 1824, and 5th January, 1825, the commissioners of the Sinking-fund have purchased 3,627,225*l.* of three per cent stock, for which they have paid 3,416,031*l.*, being at the rate of 94*l.* 3*s.* 5*d.* for every 100*l.* of such stock, at a loss of 41*l.* 16*s.* 3*d.* of money, for every 100*l.* stock repurchased, as compared with 1815."

In short, for about twenty-four years, while we had been borrowing, say at 5*l.* 5*s.* we had been repurchasing at about 4*l.* 10*s.*; leaving a charge of one per cent for ever on the 200,000,000*l.* or thereabouts, absorbed during that time, by the Sinking-fund, and made applicable to the reduction of the public debt. All the ruinous consequences of this delusive scheme would have been avoided, if government, in-

stead of effecting new loans, and creating new debts, to support an imaginary fund for the discharge of other debts, had annually applied the surplus revenue, and other resources, to the purchase of stock at the average rate of the respective years.

Another set of these multifarious resolutions went to aver, that, since the war, taxation had increased, instead of being diminished; that, during the last three years, a million more had been raised by taxes than in the three preceding years, and that this augmentation was so far from being the effect of an increased consumption with diminished duties, that the consumption, in point of fact, had greatly decreased. The only nominal reduction of taxation, Mr. Hume said, had been the repeal of the property-tax; but the abolition of this tax had given no relief to the public, because its amount continued to be raised in a different manner; all that the public gained was, that the taxes were more judiciously collected, and the burden was somewhat lightened by being more widely spread. The assertion of government, that 27,000,000*l.* of taxes had been reduced since the war was an utter delusion; and could neither have been made nor believed, had it not been from measuring the amount of taxation by a wrong standard, and neglecting altogether the established standard of value. The money amount of taxes raised in Great Britain, on the average of the three years, 1813–15, the period of the largest receipt during the war, was 69,010,227*l.* per annum; but as that amount was in paper money of nominal value, and not exchangeable into gold, on an average of the three years, at a



lower rate than 5*l.* per oz. (the maximum having been 5*l.* 11*s.* per oz.), the average annual taxation, if valued in gold, was equal only to 13,802,045 ozs. of gold, or to 53,741,714*l.* of money exchangeable into gold at 77*s.* 10½*d.* per oz.; whilst the annual average amount of taxation in the last three years, 1823–5, was 52,430,765, convertible into gold at 77*s.* 10½*d.* per oz., showing a diminution of only 1,310,949*l.* per annum of money of standard value, instead of 27,000,000*l.* Another, and a still surer method of proving that taxation was higher in the years 1823, 1824, and 1825, than in 1817, 1818, and 1819, was, to take it at what it would have been, if the amount had been paid in wheat. Now, the annual money-amount of taxes, on an average of the three years 1813–15, was only equal to 15,853,926 quarters of wheat, at 80*s.* 9*d.* per quarter, the average price of that period; whilst the money-amount of taxes, on an average of the three years 1823–5, was equal to 17,434,546 quarters of wheat, at 60*s.* 2*d.* per quarter, the average price of that period. Thus taxation, instead of having been reduced, had actually increased at the rate of one fifth, an increase to which much of the recent privation and distress was attributable.

The increased productiveness of the taxes (to the amount of a million annually) had been ascribed by government to the increased consumption which was said to be the natural consequence of lowering prices by reducing duties: but Mr. Hume maintained that no such increase had taken place during the last forty years, notwithstanding the great increase of the consuming population. Thus the annual consumption of malt,

in England and Wales, had actually decreased, in the last forty years, although, within the same period, there had been an increase of about 40 per cent in the population. On an average of the ten years from 1785 to 1794, the number of bushels of malt annually consumed was 25,751,775; and on the average of the ten years 1815–1824, the annual consumption was only 25,246,940 bushels, showing an actual decrease exceeding 500,000 bushels per annum; whilst, if the consumption of malt had increased in proportion to the increase of population, the consumption would have exceeded 35,000,000 of bushels per annum. A fair comparison could be made only by taking an average of several years; yet, even if the consumption of malt in 1825 (a year of great excitement) were compared with some other single years, a greater consumption appeared in the years 1792–7 and 9, 1803 and 21, than in 1825. Wine, too, had shared the fate of malt. The quantity of foreign wines annually charged with Excise duty in Great Britain, on the average of the three years 1801–3 was 7,661,270 gallons, and the average quantity charged in the four years 1819–1822 was 5,223,326 gallons, being an actual diminution of 2,437,944 gallons yearly, or about 30 per cent, notwithstanding the increased number of consumers during that period; although at least 10 per cent of Cape wines, of very inferior quality, had been charged with duty in the aggregate quantity in the latter period.

The progress of the consumption of sugar, tea, and tobacco, all of them taxable articles of primary use, led to the same results. The quantity of sugar consumed in Great Britain, on an average of



the nine years 1808—16, was (after deducting 1,600,000 cwts. used in distillation in the six years 1809-14) 2,406,809 cwts., and in the last nine years 1817-25, on an average, 2,593,540 cwts.; being an annual increase of only about  $7\frac{1}{2}$  per cent, whilst the population had been increasing, during that period, at the rate of 17 per cent.

The consumption of tea, on an average of the four years, 1800-3, was 21,023,155lbs., and, on an average of the four years, 1821-4, was 23,443,479lbs.; an increase of scarcely 12 per cent, whilst the number of consumers had increased about 35 per cent.

The annual average consumption of tobacco in the five years 1800-4, was 11,855,351 lbs. and in the five years 1820-4, was 13,022,851 lbs. showing an annual increase of consumption at the rate of 10 per cent in the latter period; but, if the annual average consumption of 14,155,166 lbs. in the five years 1810-14 were taken, it would appear that since that period there had been an actual decrease of consumption at the rate of 8 per cent per annum, notwithstanding an increase of population of 17 per cent.

On these statements Mr. Hume founded his resolution, "that the continued pressure of taxation has greatly increased the privations and distress of the productive, industrious, and labouring, classes of the community." And, on the whole mass of the resolutions—coupled with the improvidence of the dead-weight arrangement, and the extent of the naval and military establishments kept up, he averred, for no other purposes than those of patronage—he founded his motion for an address to the Crown, praying that his majesty "would

be graciously pleased to take into his consideration the present alarming state of the country, and to direct an immediate inquiry to be made into the causes of the existing distress, and the adoption of measures calculated to bring it to as speedy a termination as possible, and to prevent its further spreading."

The chancellor of the Exchequer said, that on by far the greater number of the topics which had been discussed by the hon. mover of the resolution, he should remain silent, for it was impossible for the House to give even an intelligible, far less a satisfactory, consideration to a series of forty-five resolutions, embracing every imaginable question connected with the finance of the country in its minutest details, any one of which would furnish matter for weighty deliberation, and terminating, as they did, whatever words might be used, in a motion for reduction of taxation. But the whole series was founded on a mis-statement of a simple matter of fact. The first resolution charged him with having misled the country by making false statements regarding the reduction of the public debt, and the effectual operation of the Sinking-fund in producing that reduction. The resolution clearly implied, that, either from gross ignorance, or deliberate intention, he had so framed his statements, and the conclusions drawn from them, as to lead the House into error; in short, that his statements were not founded in truth. Now this he denied; and, in the very resolution which conveyed the charge, there was a statement which would bear out a similar charge against the hon. mover himself. The resolution was—  
"No. 1. — That the assertions



made to this House by the chancellor of the Exchequer, on 3rd of March, 1823, that a reduction of 24,766,520*l.* in the capital of the public debt had been effected by the operation of the Sinking-fund, from the termination of the war up to the 5th January, 1823; and again, on the 13th March, 1826, that a further reduction of the public debt, of 18,401,000*l.*, had been effected between 5th January, 1823, and the 5th January, 1826, making together a reduction of 43,167,520*l.* in the capital of the public debt since the termination of the war, are not consistent with the accounts before the House, as appears by the facts contained in the following resolution."

Now the fact was, that, upon the occasion alluded to in the resolution, he had never once said that the reduction in the amount of the public debt was owing to the operation of the Sinking-fund. On the contrary, he had taken care, plainly and directly, to state, that the reduction of the debt was not to be attributed to the operation of the Sinking-fund. At the period mentioned, he had proposed certain resolutions to the House, the object of which was, to simplify the operations of the Sinking-fund. He had then gone into a detailed account of the actual state of the public debt, and he could not find that the words "Sinking-fund" were at all made use of in that part of the speech referred to by the hon. gentleman. It was utterly impossible that he could have said, that the reduction of debt was attributable to the Sinking-fund. What he had stated was, in substance, that, during seven years, from January, 1816, an actual diminution of debt had taken place to such an extent as could not have been

brought about otherwise than by the application of surplus revenue. On the 5th of January, 1816, the amount of the funded debt was 816,311,446*l.*, and of the unfunded debt 48,511,000*l.*; on the 5th of January, 1823, the funded debt, was 796,530,000*l.*, and the unfunded, 43,526,000*l.*, amounting, in the funded and unfunded debt, to a diminution of 24,685,796*l.* But it was quite impossible that he could have so far forgotten himself, or attended so little to facts, as to have attributed this to the operation of the Sinking-fund. The honourable mover, therefore, was not entitled, by any thing which he had said, to charge him, in this solemn and formal manner, with having asserted what was not true. But, in another point of view, the proceeding of the hon. gentleman was of a most extraordinary nature. In the first place, the honourable gentleman charged him with having made assertions not consistent with the accounts before the House, and concluded his resolution with the following words,—“as appears by the facts contained in the following resolutions.” So that he first called upon them to condemn, without considering what the following resolutions contained. Was there ever so clumsy a proceeding as this? He first pronounces a sentence of condemnation, then asks the House to consider the grounds on which that sentence was founded? A similar mode of proceeding was repeated in the 31st resolution—

“No. 31.—That the repeated assertions made in this House, that there has been a diminution of taxation to the extent of 27 millions, since the termination of the war, are delusive and fallacious, whether as applied to the amount



of money actually collected from the people, or the value of the currency in which the taxes were collected, as will appear by the fact stated in the following resolutions."

So that, here again the hon. gentleman called upon the House to condemn him for false statements, and false inferences drawn from them, on the ground of resolutions not yet considered. He could not see how it was possible for the House to come to any conclusion, founded upon such a series of propositions as that submitted to them by the hon. gentleman.

The statement, which had been quarrelled with as inaccurate, was, that the funded debt which, on the 5th January, 1826, amounted to 816,311,446*l.*, had been reduced, by the 5th January, 1823, to 796,538,000*l.*; and to prove that this statement of a reduction from January, 1816, was inaccurate, the hon. mover had taken a period which excluded 1816, and began with January 1817. But, in point of fact, if the statement was taken in connection with the period to which it professedly had reference, not only was it in perfect agreement with the papers laid before the House, with which it was pretended to be inconsistent, but these very papers furnished a refutation of the resolution. To say that taxation had not diminished, because the same sum continued to be raised by taxes, was a mere sophism; and to say that taxation had precluded the people from the enjoyment of many comforts, was inconsistent with fact. For, how did it happen, that, with taxes reduced by 8,500,000*l.*, the revenue had maintained its ground? clearly by the increased consumption. If, by a reduction of duty on wine,

a bottle of wine was placed within the reach of a person who could not have afforded to pay for it at the former rate, was he not benefitted by the reduction? were not the trade, and the community at large, gainers by it? Whenever the same amount of revenue was raised on a lower scale of taxation, the tax was necessarily less burdensome.

Mr. Brougham, Mr. Maberly, and Mr. Robertson briefly supported the resolutions. A motion for adjourning the debate having been negatived without a division, the House divided on the original motion, which was lost by a majority of 153 to 52.

The state of the finances was again repeatedly referred to, and the usual motions for reducing public expenditure were all reiterated at different stages of voting the estimates for the year. When it was moved on the 17th of February that the House should go into a committee of supply on the navy estimates, Mr. Hume, although without pressing his amendment to a division, resisted the motion, on the ground that no estimates ought to be voted, till the proposed expenditure of the year had been laid before the House.—That, answered Mr. Canning, is the very object of going into a committee. When, on the report of the committee being brought up, the question was put to grant pay and allowances for 30,000 seamen, and 9,000 marines, Mr. Hume objected to the number as being extravagant and unnecessary in time of peace. Formerly, he said, in time of peace, the navy had only cost about 2,000,000*l.*, while the present estimate was above 6,000,000*l.*; and, within the last three years, there had been a regular increase, instead of a gradual di-



minution: Being convinced that such a rate of expenditure, and the taxation necessary to meet it, could not be supported, unless an intention were entertained to rob the public creditor, he moved an amendment to the effect, "That this House cannot take into consideration the navy estimates for this, the 11th year of peace, amounting to 6,135,000*l.* without expressing its disapprobation of so large an expenditure, and without adopting the language of the finance committee of 1818, that the strength and glory of a country do not consist in its ships—its naval and military force—but in the encouragement of the arts of peace, and the judicious and economical management of its finances."

The proposed number of men was justified by the necessity of maintaining, in existing circumstances, a strong naval force in the Mediterranean, and on the East-India station; a station which extended over one quarter of the globe, from the coast of Arabia round to the Pacific Ocean. Our trade in the Mediterranean was equally endangered by the Turks and by the insurgent Greeks, and the complaints of piracy were innumerable. On the coast, too, of South America, free-booters were swarming; and, although, in India, the Burmese monarch, was not possessed of a navy, yet a naval armament on the river of Rangoon was essential to the operations of the army which had marched against his kingdom. It might be true that the estimates were higher than those of 1817; but no committee of 1817 could prophesy the exigencies of 1826, and no prudent government would meet the greater necessities of 1826 by the lower scale of 1817. The amendment was lost by a majority of 43 to 15.

The army estimates, which proposed that the military force for the year should be 87,240 men encountered similar opposition; Mr. Hume having made an unsuccessful attempt to reduce the number to the establishment of 1792, as if the words "a period of peace" denoted one uniform and invariable set of circumstances, and the possessions and relations of the country were at all times the same, and put forth at all times the same demands, provided only that war was absent. The exigencies of peace vary as well as the necessities of war; and the purposes, to which national force ought prudently to be applied, alone furnish any standard by which the amount of national force required can be ascertained. Mr. Hobhouse did not go so far as Mr. Hume; but he wished the military force to be reduced by the number of men which had been added in 1825; and moved as a resolution on the 7th of March "That it appears to the House that the regular military force of this country, exclusive of the troops in the East Indies, consisted, in the year 1822, of 69,088 men; and that now, according to the estimates laid before the House, the number was 86,240, being an increase since 1822 of 17,152 men. That it appears to the House that no change has taken place since 1822, either in our foreign relations or domestic circumstances, to justify so large an augmentation; and that it is therefore expedient to reduce the regular military force to 77,000 men."

Lord Palmerston said, that neither the safety of the colonies, nor the comfort of the men serving in the army, could allow of the proposed reduction. When ministers proposed the additional



9,000 men voted in the preceding year, they had expressly disclaimed the idea of the increase being rendered necessary by any thing in the internal state of England or Ireland. He had then stated, as he now repeated, that it was only in relation to the colonies that the existing force was reckoned inadequate; that the diminution of the military force in 1822 had been by far too extensive; that, after a trial of three years, that experiment had completely failed, and that a greater number of troops was absolutely necessary. The same necessity still existed: in fact, the number of troops in the Canadas and West Indies did not much exceed the number stationed there in 1792; while the increase of their population, and other considerations, rendered a greater military establishment indispensable. Whether or not the army was too numerous, was best ascertained by observing how it was distributed. We had at present, on foot, eighty-three regiments of the line; of these, nine were stationed in Great Britain, twenty-three in Ireland, and the others are constantly employed on foreign service. Besides these nine regiments, there were also in Great Britain the *dépôts* of the fifty-one regiments stationed abroad. Taking each of these *dépôts* at 224 men, the entire number would be 11,424. And taking the nine regiments to contain 740 men each, they would amount to 6,660. There were, besides, six battalions of foot guards, 4,400 men, and the staff corps 300; making a total of somewhat above 22,700. If the 11,424 men composing the *dépôts*, and who were, for any active purpose, really non-effective, were deducted from the whole, the actual number was not only

not too large, but was less than could be well deemed adequate to perform the services required of it. The men composing the *dépôts* were not available, inasmuch as they were chiefly either employed in the recruiting service, or consisted of invalided men. Although, therefore, our home force was apparently large; yet, after the deduction of these 11,000 men, it was trifling in comparison with the clamour raised about the existence of a standing army in times of peace. The number of regiments abroad was fifty-one: it was usual to release, every ten years, each regiment on foreign service; and, surely no person could think ten years too short a period for their continuance out of this country, due regard being paid to the health and comforts of the men. If, then, these regiments were to be removed every tenth year, it followed that there must be a disposable force for the purpose of supplying the places of the troops brought home from time to time. Taking the force thus employed for reliefs to be seven regiments, it followed that fourteen regiments were to be considered as neither at home nor abroad, inasmuch as they were constantly on their passage, or preparing for it. Deducting the *dépôts* of these fourteen regiments, which were to be deemed totally unavailable, continuing in Great Britain, the strength of the whole fourteen might be set down as equal to five regiments; and considering that this loss fell solely on the home force, the conclusion was, that there remain continually in this country only four regiments of the line. The reason for setting down the fourteen regiments as not exceeding the full strength of five,



was, that they always left behind them in this country about 224 men each; and, certainly, four regiments composing the only effective portion of the 22,700 men whom we retain at home, could not be deemed more than sufficient to meet the emergencies of the country.

The House having divided, the numbers were, for the original motion 106; for Mr. Hobhouse's amendment 34.

Another attempt was still made by Mr. Hume to check what he termed the career of reckless expenditure, by cutting down the estimates for the civil contingencies, and, above all, the expenses of our diplomatic establishments in foreign countries. The whole cost, he said, of ambassadors and consuls for the present year, amounted to half a million, and was regularly increasing. The only effect of large salaries was, he said, to raise men above their business, and disincline, or disable, them from doing their duty; and if a vote were to be passed reducing the salaries one half, the duty would be quite as well performed. He complained of the extravagant scale of expenditure for the missions and consulates in South America, which exceeded 100,000*l.*, and of the folly of paying three or four thousand a-year to support ministers at such courts as those of Wirtemberg, Tuscany, and Saxony, which possessed no political importance. He inveighed, in particular, against the expenses of the embassy to Paris, amounting this year to 30,000*l.*; thus exceeding the cost of maintaining the president, vice-president, and whole civil establishment of North America: and he could not conceive what advantage this country could de-

rive from the English ambassador giving an entertainment to two thousand Parisians. He regretted that advantage had not been taken of the liberal determination of the duke of Northumberland to defray, out of his private fortune, the expenses of his mission at the coronation of the king of France, and that 10,000*l.* should have been spent in presenting him with a sword in return. He denounced the extravagance of keeping the great seal, &c. in silver boxes at Antigua and Dominica, in buying plate for ambassadors in Lisbon, Madrid, or Paris, and in maintaining kettle-drummers, trumpeters, and silver trumpets, for the bands attached to the royal household. He was grieved to observe that, in regard to the latter, the lace and finery of the dress were not only expensive, but did not accord with the plainness and simplicity of the English character. He preferred the plain Windsor frock; and he saw, in all this riot, the ruinous waste and extravagance of the court of Louis XIV. Mr. Croker reminded him that the dresses of these important personages, however little entitled to appear beside the Windsor frock, were so far from being an innovation of modern fashion and extravagance, that they were exactly what they had been in the reign of Henry VIII., as he might learn by consulting the pictures of that period.

Mr. Canning was surprised, beyond all intelligible expression of surprise, at the proposition of Mr. Hume to withdraw our representatives from the smaller continental courts, on the ground of these courts being of no political importance. The expense of these embassies had in fact been reduced;



but the reduction had not proceeded from any so ungenerous, and improvident view. Such a proposition was in truth a declaration admitting that three or four of the larger courts were to dispose of the interests of the smaller ones, and that in these latter it was scarcely worth while to maintain those representatives of the British Crown, whose presence, however, was really of so much moment to their welfare. It never could be the policy of this country, at any period, so to discountenance those minor states, as to aid in preventing them from raising their heads, on occasion, among the other European governments. He by no means pretended to say that he was in a condition to predict the time or the states which would one day exemplify the better policy of our not neglecting them: but the House must feel convinced, that the period might very possibly arrive, some day or other, when these now minor states might rise into and manifest themselves as states of much greater power and importance.

The objections to the consular estimates appeared to him equally extraordinary; as the plan, which gave occasion to them, instead of being a measure of the government, was a child begotten by Mr. Hume himself. It had been determined by parliament to do away with the whole consular system, and place it on a new footing; to abolish all fees, and substitute fixed salaries in their place. This was the plan adopted, to which he had been no party; and it was rather hard in Mr. Hume now to turn round upon him for endeavouring to give effect to a system, in the introduction of which he himself had been so potent an instrument.

The burthens, to which the trade of the country had been subject in the shape of fees to consuls, was between 65,000*l.* and 70,000*l.*; and the House had determined no longer to take this sum from the pockets of individual merchants, trading to ports where British consuls were stationed, but to throw the charge upon the public generally. On the old system, 61,000*l.* were annually paid by government, and the various companies; whereas, under the new arrangement, the yearly charges for these consuls were not more than 50,000*l.*, and 11,000*l.* to the Levant consuls. He looked upon the total allowance for such services, however, as being 79,000*l.*; from which deducting 30,000*l.* voted in the civil list, there remained only 49,000*l.*, to be voted as consuls' salaries. This was the amount called for; but the relief given by it to the merchants was 61,000*l.* In regard to the consulates in the new states of South America, it was impossible already to lay down a fixed scale, or adopt a precise estimate. This year there had been a saving to a considerable extent; but it was impossible to say what the expenses for the year might be, for no European mission furnished any standard by which to compare them. It was most difficult to form any trust-worthy scale of the cost of such establishments in states where the prices of particular commodities were very unequal, and most of them in nearly an inverse ratio from those of Europe—where a man, for instance, might buy a horse for a dollar, but would be obliged to pay about two guineas for shoeing him. In the expenses, again, of the old diplomatic establishments, the scale voted by parliament in 1816, had been uni-



formly adhered to : and, although the total cost of the embassy at Paris amounted this year to 30,000*l.*, it was fallacious to assume this as the average of its annual expense, because the increase which appeared this year was but temporary, and dependent entirely on specific causes. The hotel of our embassy in Paris was our own property ; and we were the only power, excepting Russia, which possessed an hotel : to have parted with it would have been both inconvenient and impolitic : for, although it was perfectly true that Great Britain was under no necessity of resorting to any secondary means for sustaining that influence in European politics to which her grandeur, her power, and her policy, so indisputably and absolutely entitled her, yet, considering that but one other power possessed an hotel in Paris of this sort (and, of all capitals, it was most important for us to possess such a house in Paris), and considering that that other power was Russia, he could not help feeling that it was quite necessary the British ambassador should be thus accommodated. But the hotel went into disrepair : five or six years ago large annual sums had begun to be necessarily expended in requisite repairs and improvements, and, in 1824, 5,000*l.* had been voted for these purposes. It was thought better to put it at once into a good condition ; and a professional person, Mr. Wyatt, had been sent over to report to the Treasury what was necessary to be done. His estimate of the requisite repairs, and of the expense

of renewing the furniture, amounted to between 23,000*l.* and 24,000*l.* This was too much : but to make the house, at least in the French sense of the word, weather-tight, Mr. Wyatt had been restrained by orders from home, to an expenditure of 12,000*l.* instead of 17,000*l.* on the building ; and to about one half of his estimate for the renewal of the furniture. The whole of these expenses, therefore, which went to swell the item of the present year, did not fall to be considered as lasting and regular elements in the annual average of the embassy ; and, in respect to the general expenses of the embassy, he could state, on the most unquestionable authority, that lord Granville, the ambassador, actually expended yearly, at least double the amount of the salary, out of his private fortune.

Mr. Baring regretted the adoption of the new principle upon which government now appointed consuls, prohibiting them from engaging in trade, and allowing them fixed salaries for discharging the specific duties assigned to them. He preferred the old system of such appointments, by which the principal merchant of a trading port, such as Amsterdam in Holland, was the consul. Such an individual was surely much better qualified to sustain the state and hospitality necessary to be maintained among those with whom consuls were frequently associating, than a consul, not a merchant, with a salary of perhaps not more than 600*l.* a year.



## CHAP. IV.

*Bill to prevent Bribery at Elections—Resolutions against Bribery—Lord John Russell's Motion on Parliamentary Reform—Mr. Abercromby's Motion for amending the Representation of Edinburgh—Motion to Disfranchise non-resident Freemen in Ireland—Resolutions for the Regulation of Private Committees—Mr. Pelham's Motion to hold Parliament occasionally in Dublin and Edinburgh—Privilege of Members not to be summoned on Juries—Restoration of forfeited Scottish Peerages—Debate on Motion to disjoin the Presidency of the Board of Trade from the Treasurership of the Navy—Bill for the Consolidation of the Laws against Theft—Bill to amend the Administration of the Criminal Law—Debate on Motion to allow Counsel to Prisoners on Trial for Felony—Case of Mr. Kenrick—Proceedings regarding the Court of Chancery.*

ON the 2nd of March, lord John Russell moved for leave to bring in a bill for the better prevention of Bribery at Elections. He did not seek his object by directing new prohibitions against the giving and taking of money, or propose to aggravate the punishments by which the existing laws were already sanctioned; his purpose seemed rather to be, to invigorate those laws by facilitating the detection of those who might be tempted to break them. Every one, he said, knew that, in former days, the decisions of this House were so interested and corrupt, as to render it necessary to impose on a select number of members an obligation to do justice between the parties. This remedy, it was generally admitted, was satisfactory; and he was ready to admit, that, as between party and party, it was satisfactory, but not as regarded the public. There were many points into which the committee would not inquire; and it might happen, that the expenses

of bringing such points before their consideration might deter private individuals; or it might happen that those who had the means of doing so were also tainted with bribery, and shrunk from bringing on an investigation into the conduct of others. Under these circumstances, the public had not that degree of security which it had when the matter was brought before the House to be investigated. The remedy he proposed was, that when any party complained of a corrupt election which had occurred within six years before the petition had been present, if the House thought that the petition set forth circumstances requiring further investigation, it should appoint a committee, consisting of fourteen members and the member who presented the petition. He did not propose that any members should be struck off, as in ordinary election committees, but simply that they should be chosen by lot: that this committee should investigate the circumstances dis-



closed in the petition, and report thereon. It would then be for the House to consider, in each case, whether any, and what, ulterior measures ought to be taken. He could not, he said, be met on the present occasion with the objection, which his motions for reform had often had to encounter, that his views were vague and general, and that nothing should be ventured on but what was specific. Here was a great evil, and here was proposed a specific remedy for it. He, therefore, moved for leave to bring in a bill "for the better discovery and suppression of Bribery, and other corrupt practices, in the election of members to serve in parliament."

The bill was brought in, and on the moving of the second reading (14th March), Mr. Wynn said, that he had many objections against it, which he feared it would not be practicable to remove, so as to render the bill fit for the adoption of the House. The principle of the bill, as he understood it, was, that, upon complaint made to the House by petition, a select committee should be appointed to try the issue, and that their decision should be absolute and final. To this there was the obvious objection, that the decision of no committee could be binding upon that House. The inquisitorial powers of the House might be delegated, but not the judicial. A body might be appointed to bring in a true verdict as to fact, but the question of corruption was a question of influence. All that a committee could do was, to report to the House; and the House could then either proceed further, or allow the matter to sleep. The bill also gave power to present petitions of complaint within six years from the period of election; and this he

thought too long. He also objected that there was no penalty or punishment assigned to an unfounded charge. A frivolous charge ought to be visited with costs to the individual; whereas it was proposed by this bill to charge the public with costs. A member of parliament could not be placed in a situation more repugnant to good feelings. He was sure there was no situation to which he could have a greater objection, than to be called upon to inquire respecting an election, when he had previously heard the detail of the circumstances from the mouth of one of the interested parties. Still, notwithstanding what he had felt it his duty to say on the subject before the House, he would willingly give the matter further consideration, and perhaps, at a future stage, add some additional observations.

Mr. Hobhouse, Mr. A. Smith, and Mr. Fyshe Palmer supported the bill; the latter recommending that the candidate should be bound, as well as the elector, to take the oath that he was free from all bribery, either by fee or reward. But the measure never proceeded farther; for when the report on the bill was to be taken into consideration (28th April), lord John Russell stated that it was not his intention to press it during the present session; but that he would probably, if such a proposition should meet with the concurrence of the other side of the House, embody its provisions in the shape of resolutions.

Accordingly, on the 26th of May, the very last day of the session, his lordship moved the two following resolutions:

"1. That whenever a petition shall be presented to this House,



after the expiration of the time allowed for presenting petitions against the validity of the return of any member of this House, by any person or persons, affirming that, at any time within eighteen calendar months previous to presenting the said petition, general bribery or corruption has been practised, for the purpose of procuring the election or return of any member or members to serve in parliament for any borough, cinque port, or place, and it shall appear to the House, that such petition contains allegations sufficiently specific to require further investigation, a day and hour shall be appointed by the said House for taking the said petition into consideration, so that the space of twenty days shall intervene between the day on which the said petition shall have been presented, and the day appointed by the said House for taking the same into consideration; and notice of such day and hour shall be inserted, by order of the Speaker, in one of the two next London Gazettes, and shall also be sent by him to the returning officer of the borough, cinque port, or place, to which such petition shall relate; and a true copy of such notice shall, by such returning officer, be affixed to the door of the town hall, or parish church, nearest to the place where the election of members to serve in parliament for such borough, cinque port, or place, has been usually held.

“2. That, at the hour appointed by the said House for taking such petition into consideration, the said House shall proceed to appoint a select committee to inquire into the truth of the matters contained in the said petition, and report the result of their inquiry to the said

House; and such select committee shall consist of thirteen members, to be chosen by lot, according to the directions, provisions, rules, and regulations, and subject to the exemptions for choosing forty-nine members by lot, contained in the various acts to regulate the trials of controverted elections, or returns of members to serve in parliament, so far as they are applicable thereto, and of two other members to be appointed by the said House, out of the members then present in the said House; and the thirteen members so chosen by lot, together with the two members to be so appointed by the said House, shall be a select committee, and shall inquire into and try the matter of such petition, and shall report their opinion thereof, together with the evidence given before them, to the said House.”

Mr. Wynn said, that he by no means intended to object to the principles of the resolutions; but, as the forms of the House had provided a mode of redress for all cases of abuse, he was averse to entering upon a general inquiry. He thought that the desired end would be better obtained by the appointment of a local committee, where every member who chose might attend, than by the ordinary mode of proceeding by ballot; and he would suggest to the noble lord, that, as the present was the seventh session of parliament, it would be better if he were to reserve his resolutions till the next parliament, as they would require, at all events, to be affirmed by it. He was not aware of the abuse which had been adverted to: viz. the distributing of money to the electors after the fourteen days prescribed for the presenting of petitions had elapsed. If such a case could be brought



forward, the House, he had no doubt, would order the Attorney-general to prosecute the parties; or if it could be proved that the great body of electors had participated in the corruption, the House might proceed to disfranchise them. He would repeat his suggestion to the noble lord, to try his experiment in the next parliament, in the event of any case occurring which the resolutions contemplated. It would then be competent for him to move for the appointment of a select committee, and to conduct the inquiry in the way which he proposed.

Mr. Peel, likewise, wished the consideration of the resolutions to be delayed until next session. They involved matter well worthy the attention of the House, and he did not think the last day of a session a fitting time either for that deliberation which they required, or for measures which were to bind future parliaments. The resolutions, in fact, were of so important a character, that full effect ought to be given to them only by a legislative enactment, which could not take place till next parliament. But lord John Russell having pressed his motion to a division, as he could not be certain of having a seat in the next parliament, and the numbers on each side being equal (62), the Speaker gave his casting vote, as is usual in such cases, in favour of the resolutions; the last breath of the expiring parliament being thus spent in prayers for the integrity of its successors.

About the same time at which lord John Russell gave up the bill for effectuating this particular improvement, he again brought forward (27th April) the general question of parliamentary reform in a shape that could not claim the

praise of being distinct and specific, which he had bestowed upon his bill for the prevention of bribery. The resolution which he proposed for the adoption of the House was, "That the present state of the representation of this country in parliament requires the most serious consideration of the House;" and the line of remark by which he supported this proposition was similar to that which he had applied to the same purpose on former occasions. He laid down two premises: first, it was a matter of paramount importance to adapt every government to the wants and wishes, the prejudices, and existing circumstances of the country for which it was intended. The grand Seignior might safely amuse himself with as many decapitations daily as he chose; but he could not safely neglect, or refuse, to appear before his people at stated intervals which custom had prescribed. Secondly, the people of this country had arrived at a degree of knowledge, intelligence, and wealth, which made them a people more worthy, than had ever before existed, of being intrusted with the privilege of electing their representatives, and more capable of exercising it with advantage. From these premises, the mover of the resolution concluded, that the House of Commons, as at present constituted, was badly constituted, for, instead of being chosen by the more numerous, the more intelligent, and, compared with past times, the more wealthy class, it was elected by those who were less numerous, less intelligent, and less wealthy. Since, therefore, the elective franchise, instead of remaining in the hands of the many, had become the property of a few, since such a discrepancy between



the condition of the people and the constitution of the government had unhappily come to exist, calamities must some day or other ensue, unless the state of the representation were amended, from which neither the constitution nor the country would ever recover. It was certain, he argued, from the history of our parliaments, that the knights of the shire were originally elected by all the freeholders of the county, and that the representatives of boroughs were chosen, not by a select corporation, always easily managed by a few influential individuals, but by the whole body of the inhabitants; for, in point of fact, all the inhabitants were burgesses. It was impossible, he thought, to look back upon our history and not see that the origin and early usage of parliament went upon the principle that those only should be summoned who were qualified to speak the sense, and represent the feelings, of the people, and that members should not be sent from such places as Old Sarum, while Leeds and Manchester were left unrepresented.

Having noticed the objections commonly urged against the necessity of reform, the noble mover continued, that, of two modes of reform which it was customary to propose, the one a total reconstruction, and the other a partial, and, so to speak, a piecemeal renovation, of the House of Commons; the latter appeared to him the sounder in principle, and the better suited to the condition of the country. The principal feature of his plan would be, to restrict an hundred of the smaller boroughs to one member, instead of allowing them two, and give the number of representatives thus subtracted from them to other towns which had risen

into importance, and had no representatives at all. These details, however, would be matter of future deliberation. The object which he had in view, in moving the present resolution, was, in the words of Mr. Fox, "not to pull down, but to work upon, our constitution, to examine it with care and reverence, to repair it where decayed, to amend it where defective, to prop it where it wanted support, to adapt it to the purposes of the present time, as our ancestors had done from generation to generation, and always transmitted it not only unimpaired, but improved, to posterity."

Mr. Denison, in speaking on this topic for the first time, could not help feeling that there was nothing in the state of the House, or the conduct of the government, to have rendered it necessary to press such a motion on the very eve of a general election. He was opposed to it on principle. The object of those who advocated reform seemed to be, to reduce the system of representation to greater uniformity in its operation. There were only two ways by which this could be effected. The first would be by a greater extension of the popular system of representation; the second went on the ground of apportioning the representation to the amount of property possessed. Of these methods there were living examples; and, as experience was, in such matters, the best instructor, in France, the elective system was founded upon property. If we desired to proceed in that way, the first step necessary to be taken would be to disfranchise a large portion of the country. But his majesty's ministers were aware of the consequences of such a proceeding, and knew too well how weak and feeble government must be-



come, if supported by a House of Commons resembling the French Chamber of Deputies. The other method, was to place the representation on a popular basis, approaching to what might be called a Representative Democracy. The example of that course was to be found in the United States of America. Great allowance must, notwithstanding, be made in any attempt to draw a practical argument from the circumstances of nations in many most material points so different. Here we had a limited monarchy, there the government was a pure democracy. Whatever liberty we possessed in this country had grown gradually up among us; whatever freedom existed there, had been suddenly obtained. There the principle of universal suffrage, with little or no restriction, was admitted; here the parliamentary advocates, at least, of reform, had never ventured to go so far. Even the differences between the state of society in the two countries rendered all reasoning from the one to the other inconclusive. He could not admit the advantage of any change in the existing system of representation, embracing, as it did, the advantages of both schemes, without the defects of either. We had the French principle of property, controlled by the American principle of democracy, and that in its turn checked by the influence of the aristocracy. The House partook of all the changes and varieties of the state, and afforded a means for the introduction of every expression of public opinion. No one parliament had ever greatly deviated from the path of its predecessors; and to this circumstance, perhaps, more than any other reason, was owing the even tenor

British politics had maintained. This consistency he wished to preserve inviolate. He felt no disposition to tamper with the integrity of the constitution. Its fabric had not been constructed on the chaste and simple principle of Grecian uniformity, but rather partook of the minute and multifarious character which distinguished the Gothic temple; and he confessed that he found it impossible not to stand in awe and admiration of the venerable pile, and he dared not approach it with the hand of a daring, though specious, reform.

Mr. Hobhouse made a very discursive speech in support of the motion. It was objected, he said, that the reformers had no plan to offer; now this he denied. The noble mover had a good plan; the member for Durham (Mr. Lambton) had a very good plan; and he himself had a plan, of whose merits he would say nothing. It was objected to them, likewise, that the property of the country was really represented; he denied this too. Property was not represented: for the most ragged part of the population, who ought to be in the work-house, were voters, and perjured themselves at the poll by saying they gave their votes for such a candidate, when, in fact, they gave the votes of those who sent them there. The electors themselves were not possessed of property: the persons really possessing property resided in towns which had no representatives. The House, therefore, must either adopt some reform, or abandon the hypocrisy of pretending that there was a representation. The effects of the system on the votes of that House furnished irrefragable answers to every pretence of its voice being that of the coun-



try. He had an analysis of the majorities on the great questions which had been discussed in 1821 and 1822, which showed that these majorities were wholly made up of the eighty-nine placemen, and of members intimately connected with the government, and if it were not un-parliamentary he would read their names. He had also another analysis, showing the divisions on thirty-six great questions which had taken place in those years, the result of which was rather curious, and which he would take the liberty of reading to the House, to show how the state of the representation really stood:—Of the 40 counties of England, 25 members voted for the government, and 37 against. Of the 24 counties and towns of Wales, 13 members voted for, and 9 against the government. Of 89 cities and boroughs, where the election was open, 57 members voted for the government, and 107 against. Of the 99 cities and boroughs in which the election was confined, 151 voted for the government, and 12 against. Of the 33 counties and boroughs in Scotland, 25 members voted for, and 11 against the government; of the 65 counties and boroughs of Ireland, 45 voted for, and 21 against the government; of the remaining 112 members, making up a total of 658, they either did not vote at all, or voted occasionally on either side. Even the vote which the other night had prevented the creation of a new placeman, proved thoroughly the corrupt state of the representation.\* The majority in favour of ministers on that occasion, consisted of 38 gentlemen who enjoyed places and salaries; of ten more who were intimately

connected with them; and only one county member voted with them. Such was the system by which ministers ruled parliament, and parliament the country; and of which Mr. Pitt had declared in the days of his youth, that, under it, it was impossible for a minister to be an honest man. The Secretary for Foreign Affairs had once said, that he would scorn to govern by a majority of placemen; but the boast was an empty one. Ministers had no other means of governing, and would have none, till they had deserved the confidence of the country. “Without that confidence, in vain is all the boasted independence of the Foreign Secretary, in vain is all his manliness of spirit and eloquence with which he delights his enraptured audience. He would, indeed, be supported while he spoke from the benches where he now sits; but strip him of his robes of office, and what has happened to him before will happen again; his supporters will fail him, and he will find that the empire of his persuasion is over, so soon as he is reduced to charm them only by his native graces of truth and wisdom. The present condition of a minister of the Crown is neither enviable nor desirable; but I can depict nothing more noble, or more animating, than the situation of a minister in a reformed parliament, presiding, with the consent and support of the people, over the destinies of the greatest nation that ever challenged the admiration of mankind. Then, indeed, the cheers of the assembly would not only play round his head, but they would reach his heart; his proud condition would enable him to anticipate the judgment of posterity, and admiration would follow the mention of his name in history.”

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\* See *infra*, p. 113



Mr. W. Lamb said, the measure recommended to the House was so uncertain in its character, that he found much difficulty in seeing his way through it. So far as he did see, it appeared to him that it was likely to be mischievous; and he doubted not that the motion was one of intimidation, brought forward for the purpose of being hereafter employed on the hustings. Neither all intimidation, nor all corruption, was on the side of government. The member for Westminster had talked much of the corrupt motives by which majorities in that House were influenced. How could the hon. member know what these motives were? They might be influenced by motives which appeared to their judgment as correct, and as well founded in just policy, as those which governed the votes of a minority. He knew of votes given in that House, on professed constitutional grounds, which, in his soul, he believed those who gave them knew well to be hostile to the constitution and to the interests of the country; but if government had certain ends to obtain, so also had they who voted in this manner. Perhaps some opposition among their constituents was to be got over, some party to be conciliated, some expense to be saved. Were not these motives as corrupt as any by which ministerial majorities could be influenced? Corruption was not necessarily or exclusively connected with majorities.

Neither Mr. Canning nor Mr. Brougham took a share in the debate, which could not be expected, on so hacknied a topic, to present much novelty; and it terminated in the rejection of the motion by a majority of 247 to 123.

Mr. Abercromby again made an

effort to apply the doctrines of reform to a particular instance, and again moved for leave to bring in a bill to alter and amend the representation of the city of Edinburgh, which contained, he said, a population of more than 100,000 inhabitants, while the elective franchise was in the hands of a town council of thirty-three members self-elected, and what were called the vested rights of that body were generally the principal obstacles thrown in the way of a better system. But the franchise had been given to the council for the benefit of the public; and whenever it appeared to parliament that the old mode of election was no longer fitting or beneficial, it might competently resume what it had given, and vest the franchise in other hands. Another objection was usually founded on the assertion that the articles of union precluded any interference with the rights of private property. To this he would reply, that the heritable jurisdictions had been abolished in the year 1747. If there existed any species of privilege which, more than an other, ought to be peculiarly accounted private, the heritable jurisdictions ought to be referred to that class. Nothing could ever have been more distinctly recognised as private property than were the heritable jurisdictions—they had been sold and mortgaged, and treated on every occasion, and for every purpose, as matters of private property. Yet they were abolished; and that at least showed that the articles of union did not preclude such an interference with private property as might be esteemed for the general good of the country. It was by no means required, he said, that those who opposed reform as it re-



garded England, should, for the sake of consistency, likewise oppose it as it regarded Scotland: for in no one case, in Scotland, was there the most distant approach to popular representation; and yet, no city in the empire, of the same size, contained so many householders of independent fortune as Edinburgh.

Mr. Dundas, the member for Edinburgh, and Sir George Clerk, the member for the county, opposed the motion, as being evidently intended to undermine the barriers which resisted the inroads of a more wide and sweeping innovation. The unexampled prosperity of Edinburgh in every branch of art and industry, was convincing proof that the system of representation had not been prejudicial to her interests; and the contentment which pervaded the whole country shewed abundantly that a limited franchise was not in itself necessarily mischievous. There were in England many large cities in which the franchise was confined to a small number of individuals; and it would be less objectionable to alter the system here, than to disturb interests which had been secured by the solemn compact of the Union. No borough had ever been disfranchised in England, except in cases where gross and scandalous corruption had been fully proved; and the present proposal went to disfranchise the corporation of Edinburgh without charging or proving any thing.

Sir Francis Burdett confessed that he felt in some degree less zeal in support of the motion than he should have done; if, instead of being placed upon insulated and independent grounds, it had been combined with the general interests of the empire, which he was

anxious to see compelled to unite in one firm and unanimous struggle for reform. That, however, which was a reason against his entire and unqualified approbation of the motion, was a reason for the House with the less scruple to accede to it; for the case made out was complete in itself. It was unanswered and unanswerable, for so flagrant was the injustice complained of, so very reasonable and moderate the demand, that it was utterly impossible to conceive any feasible objection to it.—For a perfect case, indeed, he knew of nothing like it, but the corruption of Scotland—it was *totus, teres, atque rotundus*: it was so complete in all its parts, that it must thoroughly convince all those who were not, from inveterate principle and prejudice, opposed to every species of reform, no matter in what modified shape it presented itself. The course adopted by the opponents of the motion was, to answer one abuse by another. Edinburgh was admitted to be an atrocious case, but Bath, it was said, presented an instance equally atrocious. Such a course was most insulting to that city and its representative. He had no doubt that a few apothecaries in Bath could send as good a member to parliament as the mock member for the city of Edinburgh; but would that be any answer to the just demand of the enlightened citizens of Bath for that share in the representation to which they were justly entitled? Upon this principle of setting one abuse against another, it would be impossible ever to make any way whatever against corruption; for no conceivable case could be stated, to which twenty gentlemen on the other side might not conscientiously start up, protesting that there



were cases much more infamous and scandalous, and that, unless these were all put into the same boat with the abuse in question, and gotten rid of at the same time, they could not, for the sake of consistency, consent to grant the redress required.

Mr. Canning said, he had often been accused of pertinacity in asserting that parliamentary reform was not necessary ; and in resisting it, not only as being transitory and evanescent, but as hazarding a greater evil than we at present endure. So far, however, from viewing this measure as only extending to parliamentary reform, were he an advocate for such reform, he should consent to pass it with more zeal, because he could not possibly conceive any thing more mischievous. To a certain degree, he admitted the truth of the noble lord's argument. If he thought the great and sweeping measure of parliamentary reform necessary, then, if the articles of Union were to be set up to defeat an important and universal measure, he would scout the attempt ; for these articles could not in justice be set up against the benefit of the whole. If they were speaking of the parliament of Scotland only, there would be some force in the objection drawn from the articles of Union ; but a parliament constituted like that of Scotland would be unfit for this great country, in which so many classes of persons, of things, of sentiment, required legislation ; yet an infusion of that representation, and its commixture, had proved beneficial, and had completely answered all the purposes of a national representation ; and he would not consent to alter it for the sake of adopting what some might deem an improvement.

Let the House consider whether, taking the case as applied to Scotland only, she had been exposed to disadvantages in this respect, when compared with her more wealthy neighbour. Had it been shown that there had been any deficiency ? Scotland flourished ; had she not kept pace with England ? No man, either by ocular inspection, or other means, could be ignorant of the rapid advances towards prosperity which had been made in that country since the Union. With respect, therefore, to the representation of Scotland, she made good her hold. Notwithstanding all her grievances, the Southerners had made no impression upon her. Once, indeed, Mr. Fox, when banished from Westminster, took refuge at Kirkwall, and became a Southern invader. The present motion, on the other hand, came from a gentleman of that country, who had nestled himself in an English borough. And the nature of the amendment which he (Mr. Canning) should be inclined to propose was, that leave be given to bring in a bill to the effect proposed by the hon. gentleman ; but, instead of Edinburgh, to insert the borough of Calne. It was true there were but thirty-three electors for Edinburgh ; but for the borough which the hon. gentleman represented the number was much smaller. That, however, was no argument with him ; he only thought the hon. gentleman might as well have looked at home instead of going abroad. It was quite manifest, that, if the mere fact of paucity of electors was to be construed into inefficiency, gentlemen might often bring forward similar motions. He could mention many persons who were members for boroughs, to which the same reasonings might be ap-



plied; but number alone was by no means conclusive. There never had been a motion brought forward in that House to disfranchise a place, merely on account of the number of its electors being small, without any other imputation. His objection to the present motion was, its application as a single instance of reform in a borough, for the benefit and advantage of being applied to the general question of parliamentary reform. It certainly was not unusual to bring forward an attack on a single borough, by an allegation of the prevalence of abuses; but it was quite new to institute a charge against it, because its elective was not in proportion to its actual population. This principle, if once admitted, would let in the great question of reform, which would lead to endless squabbles. He hoped, however, that the motion would be repeated annually, for the innocent gratification of the noble lord, and those who advocated it; but thinking, at present, that no assignable good was likely to result from it, he should dissent from it.

On a division the motion was lost

Sir John Newport endeavoured to procure an alteration in the state of the elective franchise in Ireland, by a repeal of the Irish act 21 Geo. 2nd c. 10. By that statute it had been enacted that, in consequence of the difficulty of finding a sufficient number of resident protestant freemen, sufficiently wealthy and sufficiently educated to exercise the elective franchise, non-resident freemen should be entitled to vote. The lists of freemen, sir John Newport stated, in most of the corporate towns of Ireland

were filled with the names of non-resident freemen, and he considered it to be an abuse, that such should still continue to be the case in cities which swarmed, like Belfast, or Newry, or Dundalk, with protestant inhabitants, intelligent and wealthy. As the cause which produced the act of Geo. 2nd had long since ceased to operate, the act itself ought to be removed from the statute-book. He, therefore, moved for leave to bring in a bill to repeal it.

Mr. Plunkett, in opposition to the motion, said, that the question was not as between the act of Geo. 2nd and the charters, but as between the 10th of Henry 7th and the 21st of Geo. 2nd. The charters required residence, the latter act dispensed with it. The legislature, in passing that act, did away with the inconvenient and unconstitutional restrictions, which, at an earlier period, had been imposed; and the House, he trusted, would see that the necessary effect of the present proposition would be, not the enlargement of the elective franchise, but its restraint. Many of these corporations were established in the reign of James 1st; and it was well known that they were established on principles by no means favourable to public liberty, or at all in accordance with the spirit of the constitution. The effect of this the legislature in the reign of Geo. 2nd thought fit to remove, and he certainly could not concur in any measure tending to repeal that act. The country had gone on for seventy years with the principle of non-residence applied to boroughs and corporate towns. Now, after such a period as this, the effect of the measure of the right hon. baronet would be not only prospective but retrospective,



for it would affect vested rights, and disturb persons actually in possession. If that act were repealed, the election of every existing officer of a corporation would be impeachable. Under all the considerations which suggested themselves, the House should pause before it assented to such a proposition on the eve of a general election—a proposition, the effects of which, upon existing rights, could not be measured. Many gentlemen, relying upon the support of non-residents, looked forward to their elections with confidence; and, if the present proposition were adopted, nothing but uncertainty and disappointment would ensue. There was another point to which he felt it necessary to direct the attention of the House. It was, that the principle of non-residence had been acted upon for forty years before the Union of the English and Irish parliaments. At the time of the Union, a selection had been made of those boroughs which were supposed to be most fit to send representatives to parliament, in addition to the county members. They were selected on the ground of the number of electors which they contained; and in the estimate of the number of electors, the non-residents were taken into account, as well as those who were resident. It was evident, then, that the measure now proposed went to disturb the arrangements made at the Union.

The motion was negatived by 76 votes to 38.

The passion for establishing Joint-stock companies, which had raged like an epidemical disease in 1825, had overflowed the table of the House of Commons, during that session, with petitions for

private bills. The multifarious and competing interests, all animated by the keen love of gain, which were involved in these bills, insured much discontent with any decision which the committees, to whom they were referred, might pronounce upon them; and, unfortunately, the conduct of committees themselves furnished grounds of complaint much more substantial than the irritation of losing parties, or the disappointment of designing speculators. Loud accusations were heard against them of carelessness and partiality; private solicitation was said to have become scandalous and unblushing; members who had not heard a word of evidence, and understood not any part of the merits of the subject, were brought down upon the committee at its final decision to support private interests; and injustice was perpetrated at the expense to the parties of a grievous loss in time and money. The attention of the House had been drawn to these complaints during the last session; but, though the necessity of some alteration in the mode of doing this part of the business of the House had been generally admitted, and a committee had been appointed to take the matter into consideration, no efficient remedy had yet been devised. Mr. Littleton, member for Staffordshire, now brought forward (19th April) a series of resolutions for the better regulation of such committees. He did not believe, he said, notwithstanding the complaints which had been made, that the instances in which they were well founded had been numerous: but it was certain that the present constitution of committees rendered improper conduct perfectly possible, and this the plan



which he had in view would tend to prevent. It had been proposed, during the last session, to choose the members, to whom a private bill was to be referred, by ballot ; but this had not been considered an eligible mode, on account of the occasional and unavoidable absence of commercial and other gentlemen from the House. Another plan had been suggested, certainly more practicable, though less constitutional, viz., to refer the bill to a commission of inquiry ; but he strongly objected to such a departure from old established regulations and practice. The safer and more practicable course would be, to adhere to the present custom ; but, should any case of decided abuse be alleged to have occurred in a committee, then an investigation might take place. Under such a system irregularities might occur : yet he conceived that one great cause of complaint would be entirely obviated ; and the advantage resulting from this plan would be, that it would render it unnecessary, in the case of a number of private bills, to have recourse to select committees at all. It unquestionably was most desirable that some alteration should be made in the present system ; for, under the existing regulations, a committee on a bill from Wiltshire required no fewer than 194 members ; while from Cardiff no more than seven were necessary ; for the county of Somerset the number was 176 ; and for Hampshire 266. He proposed to remodel the list for the counties, to secure impartiality by taking only one half of the committee from the county in which the bill originated, to make attendance compulsory, and to prevent the chance of abuse by creating a standing

committee of appeal. His scheme was embodied in the following resolutions :—

“1. That the present distribution of counties in the several lists, for the purpose of forming committees on petitions for private bills, and on private bills, prepared under the direction of the Speaker some years ago, has, from the great inequality of the numbers of members contained in such lists respectively, and from other causes, been found not to answer the object for which it was framed.

“2. That with a view more nearly to equalize numbers, and to correct too strong a prevalence of local interests on committees on private bills, it is expedient that a new distribution of counties should be made, containing in each list, as nearly as may be, 120 members, one-half only, or thereabouts, to be taken from the county immediately connected with the object of the bill, and the adjoining counties ; and the other half from other more distant counties of Great Britain and Ireland ; and that the members serving for such counties, and the places within such counties should constitute the committee on each bill.

“3. That Mr. Speaker be requested to direct a new distribution of counties to be prepared, in such manner as shall be approved of by him conformably to the principle of the foregoing resolution.

“4. That every committee on a private bill be required to report to the House the bill referred to it, with the evidence and minutes of the proceedings.

“5. That a committee be appointed, to be called, ‘The Committee of Appeals upon Private Bills,’ which committee shall consist of all the knights of the shire, all the



members for cities, and such other members as may be named therein ; so that the whole number appointed to serve on such committee shall amount to 200 at least.

“ 6. That where any party interested in a private bill, who shall have appeared in support of his petition, by himself, his counsel or agent, in the committee upon such bill, or where the promoters of a private bill shall be dissatisfied with any vote of the committee upon such bill, and shall petition the House, setting forth the particular vote or votes objected to, and praying that they may be heard, by themselves, their counsel, or agent, against such vote or votes, such petition shall, together with the report of the committee upon the bill, and the minutes and evidence taken before such committee, be referred to a select committee of seven members of the House, to be chosen by ballot from the Committee of Appeals upon Private Bills, which select committee shall hear the arguments of the parties complaining of, and also of the parties supporting, such vote or votes, and shall report their opinion thereon to the House.

“ 7. That whenever a petition shall be presented, complaining of any vote of a committee upon a private bill, the House shall fix a day whereon to ballot for a select committee, to which such petition shall be referred ; upon which day, at a quarter past four o'clock, or as near thereto as the question which may be then before the House will permit, the Speaker shall order the doors of the House to be locked, and the names of the members composing the Committee of Appeals upon private bills being written upon separate pieces of paper, and put into the

glass, the clerk shall draw therefrom the names, until seven members of such committee who shall be then present, and who shall not have voted in the committee upon the private bill to which the petition refers, shall have answered to their names ; which seven members shall be the Select Committee to whom such petition shall be referred, and such Select Committee shall meet for business the following day at eleven o'clock, and continue to sit, *de die in diem*, until they shall have reported upon the same, and that only one counsel or agent shall be heard in support of the petition of any one party.

“ 8. That no member of such Select Committee shall absent himself therefrom during its sitting.”

The resolutions were adopted with the general approbation of the House ; the only one, on which a division took place, being that which provided that every petition complaining of the decision of a private committee should immediately be referred to a committee of appeal. Mr. Calcraft, who, with lord Milton and Mr. H. Bankes, doubted the necessity and utility of the resolutions altogether, opposed this one on the ground that the real business of the House would be incessantly interrupted by the hearing of these petitions, and the appointment of these committees ; but the resolution was carried by 44 votes against 32.

On the same day, Mr. Pelham, member for Shropshire, brought forward the most extraordinary proposal that ever was made within the walls of St. Stephen's. Adverting to the great increase of wealth and population in the principal towns of the kingdom, their distance from the seat of legislation, and the expense of sending



up to London witnesses and deputies whenever their interests were at stake, he gravely moved, "That it is expedient the Imperial Parliament should be occasionally holden in capitals other than London"—that is, in Edinburgh and Dublin. Of course no person was found to second so crude and impracticable an idea. It would have been as expensive to carry deputies and witnesses from Middlesex to Dublin or Edinburgh as to bring them from Dublin or Edinburgh to London. Such a migration implied a transference of the Court, and the Court establishments, to the temporary capital, and it would have been necessary to conquer physical impossibilities. How was the English bar to be carried to Edinburgh, for a session of parliament, to argue cases of appeal before the Peers, and be practising, on the same day, in the courts of Westminster? How was the chancellor to sit as judge at Lincoln's Inn in the morning, and preside in the evening, in the House of Lords in Holyrood? How were the Attorney and Solicitor-general to move the King's bench at 10 a. m., and at 6 p. m. be replying in Dublin to a speech just made by Mr. Brougham, who, a few hours before, had returned from a trial for libel at Guildhall? One of the satires on the bubble schemes of 1825 was a Joint-stock company for propelling stage coaches and their passengers through a tube, in which a vacuum had been created, at the rate of an hundred miles per minute. Until this, or some equally efficient application of mechanical power can be discovered, a proposal like that of the hon. member for the county of Salop will continue to be impracticable.

The attention of the House of Commons was drawn to what seemed to be a violation of its privileges, by its members being summoned to serve on juries, and being visited with penalties for failing to appear. Mr. Helford, member for Queenborough, stated (20th February) that he had been so summoned on a jury in the Exchequer; believing that he was exempted by his parliamentary character, he had paid no attention to the sub-pœna, and the consequence was, that he had been fined for non-attendance. Mr. Ellice stated that he had been fined under similar circumstances. A difference of opinion prevailing in the House as to the right of exemption, Mr. Scarlett thinking that all persons were liable to be called on to discharge the duty of jurors, and Mr. Wynn and Mr. Peel arguing that the duty of a member of that House was paramount to all other duties, the matter was referred to the committee of privileges. The committee next day presented their report, stating their opinion that it appeared to them to be an undoubted privilege of the House, that no member should be withdrawn from his duties as a member of the high court of parliament, to attend on any other court; and that the right to refuse attendance upon juries had been repeatedly asserted, of which three instances were cited in the report. The privilege thus claimed certainly seems to follow from the same principles which are the foundation of other unquestioned privileges of the Commons. The civil duty of serving as a juror, is not higher than the civil duty of paying a debt; yet a member cannot be called from his duty in parliament to answer to civil process. Such pro-



cess like the sub-pœna is in the name of the king; and so is the royal proclamation by which parliament is convoked, and which imposes a more general and imperative duty. Besides, it seems to be more than doubtful, whether it would not be a manifest breach of privilege to commit a member to prison because he refused to pay the fine imposed upon him for non-attendance as a juror: and if so, then the court issuing the sub-pœna would have no means of asserting its jurisdiction, and the whole House of Commons might be in contempt from one end of the session to the other.

During the session, acts were passed restoring the Scottish peerages of earl of Carnwath, earl of Airlie, lord Duff, lord Elcho, and the baronetcy of Threipland of Fingark — all titles which had been forfeited by rebellion in the preceding century. The only expression of disapprobation of these acts of grace came from lord Milton, who avowed that his opposition to them was founded upon political sentiment. He said, that, from the first moment these bills were introduced into parliament, he had entertained an opinion, probably confined to himself, that they were measures which ought not to be allowed to pass. The individuals interested might, for aught he knew, be most meritorious characters, and qualified to grace any rank to which they might be elevated: nevertheless, he must say, that the restoration to titles forfeited, not for treason against the crown, but for treason against the liberties of the subject, was a selection of cases, in his opinion, little entitled to approbation. If a bill had been brought in for the restoration of all titles against the effects of attainder,

whether incurred during the sway of the Brunswick family, or of any preceding dynasty, he would have been the last man to oppose such a proposition; but it was a little too much to select for peculiar favour those whose only claim was their having stood in rebellion to the constitution by opposing the revolution, and aiding the cause of tyranny and arbitrary power. Why was not the duke of Buccleugh restored to the dukedom of Monmouth? Why were not similar forfeitures restored? He confessed that the selection which had been made appeared to him to be most unfortunate. He would not say, that it betrayed a disregard to the liberties of the people, but he would say that it was injudicious; and if, in that opinion, he stood alone, he should not be ashamed of his singularity. All that he lamented was, that he had not stated his objections when these bills first made their appearance. He could not sit down without intreating the individuals whose interests he might appear to oppose, to believe that he had not the slightest intention of objecting to them personally. It might be advisable to create new peerages for them; but he could not concur in the removal of the attainders in question. Sir John Newport, likewise, expressed his regret that similar acts of grace had not been extended to old Irish families of the greatest honour and highest respectability. Mr. Peel replied by the simple statement that these reversals of attainders had commenced with that of lord Edward Fitzgerald, and that he himself had made the motion that the descendants of lord Stafford should be restored to their family dignities.

A question connected with the



constitution of the House of Commons was raised by a proposed increase of the salary of Mr. Huskisson as President of the Board of Trade, to enable him to resign the office of Treasurer of the Navy. Prior to the year 1782, the duties performed by the Board of Trade were not under any systematic regulations, and the individuals composing it received no stated salaries. In 1782 many of the arrangements connected with it had been altered by the reform of Mr. Burke: but the mode adopted to remunerate the president was, to pay him scarcely any thing in that capacity which required from him services of the greatest difficulty and importance, and award to him what was deemed compensation, under some other character. A few years ago, a fixed salary of 2,000*l.* had been attached to the office of vice-president; but that of president remained upon its old footing, the person who held it receiving nothing from it but receiving along with it another office for which a stated salary was allowed. Mr. Huskisson, who at present filled it, was paid by the salary of 3,000*l.* which he received as Treasurer of the Navy. It was now proposed to disjoin the offices; to give the President of the Board of Trade a distinct salary of 5,000*l.* per annum, and not encumber him with the duties and responsibilities of any other office. This, it was said, was necessary, because the duties of the office required the undivided attention of the person who might fill it; and the sum could not be reckoned too high for a situation of so much labour and importance.

By all parties in the House, the most willing homage was paid to the great talents of Mr. Huskisson,

and the high value of his public services; nor did any member insinuate that the remuneration proposed was too large. But the proposal, when moved by the chancellor of the Exchequer in a committee of supply (6th and 7th of April) was met by a very decided opposition on the ground that the disjunction of the two offices was unnecessary, as no active duties were attached to the Treasurership of the Navy, or, at all events, its duties might, without inconvenience, be transferred to the paymaster, the real officer in that department; that by adding 2,000*l.* to the present salary of the Treasurer, or giving 2,000*l.* a year additional as the salary of the Presidency of the Board of Trade, the same amount of remuneration to the individual holding both offices would be made up, at a smaller cost to the public; and, above all, that the scheme of disjoining the offices was merely a cloak for the introduction of a new placeman into the House. Instead of one member holding both with 5,000*l.* a year, there would be a President of the Board of Trade with 5,000*l.*, and a Treasurer of the Navy with 3,000*l.*

Mr. Huskisson himself said, that, whether it arose from incapacity of mind for the duties required to be discharged, or from whatever other cause, he did feel considerable anxiety and hardship arising out of the union of the two offices. It was altogether erroneous to suppose that the occupation of the Treasurer of the Navy was merely to pay money. He was called upon to exercise his discretion in every instance of a demand, and to sift the grounds of every claim. Much anxiety, likewise, he could not help feeling in that character,



from the great pecuniary responsibility attached to the office. The paymaster was an officer fully acquainted with all the details of business, and perfectly familiar with all the operations necessary for the proper and effective management of the department; but he had often asked himself whether, if any casualty were to deprive him of the services of that assistant, he was himself sufficiently informed on all subjects connected with the office, to conduct the business with no better aid than that of the person whom he might appoint his successor? Such a person coming in a novice, it would devolve upon the head of the department to instruct him in his duties; and he candidly confessed, that, although exposed to all the pecuniary responsibility, and all the care, anxiety and loss of time, which attended it, he was utterly incompetent to the instruction of such new officer. He could not say from his own knowledge, whether, at that moment, matters were going on right or wrong in his own office. From his entire confidence in the pay-master he had not the slightest doubt that the business was conducted in the best possible manner; but that persuasion arose from his knowledge of the particular officer, not from any acquaintance with the business itself. The office itself was perfectly agreeable, provided he could devote due attention to it; the patronage attached to it, was of course desirable, and in its character there was nothing that could be reckoned repulsive; but, although he certainly could not say that he had not time enough to discharge the duties of both offices, he could most truly declare that, to whatever cause it might be owing, he was

not able to discharge the duties of both with that satisfaction to his own feelings with which every public duty ought to be performed. He would leave the question in the hands of the committee; the proposition now before it respecting himself was not one of his own seeking.

Mr. Tierney admitted that the Treasurership of the Navy was a situation of much trust and anxiety, though certainly not a laborious one. While he himself held it, he never found that he left any duty unperformed by attending one hour daily. The abolition of the office was the very last thing he would propose; and, certainly, the next last thing was, to give to government the disposal of two great offices, one of 5,000*l.* and the other of 3,000*l.* a-year. He remembered that when sinecures were under consideration, the Treasurership of the Navy, and some other offices, were let alone, on the ground that some high sinecures should be continued for the purpose of remunerating the discharge of duties to which no salary had been attached. It was then understood that the President of the Board of Trade was sufficiently paid by the Treasurership of the Navy, which was worth 4,000*l.* a-year. When Mr. Dundas filled the two offices of President of the Board of Control, and Treasurer of the Navy, he received only the salary of the latter office. So it went on for six years; and, during that time, not the least difficulty had been felt by that gentleman in executing the duties of both. Perhaps there might be more trouble in the performance of them at present, as the management of seamen's wills had been transferred to the latter office.



For his own part, he thought that an arrangement might be entered into which would have the effect of satisfying all parties. It might be so arranged, that, whenever the two offices were held by the same person he should have a salary of 5,000*l.* a-year; that the President of the Board of Trade should be allowed 3,000*l.* a-year, and an additional sum of 2,000*l.* when he executed the duties of Treasurer of the Navy.

Mr. Calcraft, Mr. A. Baring, Mr. Abercromby, and Sir John Newport, all acknowledged, that the proposed remuneration was well deserved, and they would be glad to see a vote to that effect carried unanimously through the House, to mark the sense universally entertained of the great public services of the present President of the Board of Trade; but they could not aid a plan for increasing the patronage of the crown, under the cloak of his character and merits, by the creation of a second office. The impossibility of performing the duties of both offices was now discovered for the first time, and had no existence in fact. Even the pecuniary responsibility attached to the Treasurership of the Navy was an easy burthen; for the principal was never made liable for defalcations, where the frauds committed by his subalterns were duly explained. They felt the unpleasant nature of the situation in which the committee was placed; they entertained no desire to say any thing which might seem to impeach the deservedly high opinion of the great zeal and singular talents of the officer in question; and they would gladly be relieved from the dilemma of either appearing to under-rate his value, or of

compromising the interests of the public, by submitting to an undue extension of the influence of the crown in parliament. This might be effected by raising the salary of the conjoined offices to 5,000*l.*, or by attaching a salary of the same amount to the Presidency of the Board of Trade, and allowing the duties of the Treasurer of the Navy to be performed by the paymaster.

Mr. Canning said, that most of the difficulties which members had found, or conceived they had found, in relation to this proposition, arose from considerations which were connected exclusively with the Treasurership of the Navy; but, if it could be made to appear that the President of the Board of Trade had more than sufficient occupation for one man, in the discharge of the duties connected with his situation in the government of the country—and that that situation was one which from its nature, could never be dispensed with in a commercial country like ours—it would follow that an adequate provision should be made for the individual who held it; and that, inasmuch as it was an office which could afford to stand on its own grounds, it ought also to have attached to it a salary payable in its own name. With respect to what has been said of the Treasurership of the Navy (continued the Foreign Secretary) and the assertion so repeatedly made, that it is an office frequently held in connexion with other situations of a public nature, I admit such has been sometimes the case; but the practice has been by no means invariable. On the contrary, it has been as often (indeed I might say oftener) held separate from, as jointly with, other official situations. True it is, that lord Melville held it at the same



time that he enjoyed another place of trust and emolument in the state ; but it will also be in the recollection of the House that the nobleman (the earl of Harrowby), who immediately succeeded lord Melville, held the office wholly unconnected with, and independent of, any other. The right hon. gentleman opposite (Mr. Tierney), my immediate predecessor, was similarly situated when Treasurer of the Navy, as was I myself, and the late Mr. Sheridan, who succeeded me in the office. Again, with respect to the hour a-day which the right hon. gentleman found sufficient for the discharge of his duties, without pretending to make any comparison between the relative quantity of business to be gotten through by that right hon. individual and myself, I am free to confess, that I was either more slow, or less fortunate ; for that period was never sufficient to enable me to execute the business of Treasurer of the Navy. That business, undoubtedly, is not of so engrossing and absorbing a quality that he can have no time to spare to other occupations ; the duties of his situation may be discharged, and a considerable share of leisure remain, which may be devoted to other purposes. But the Presidency of the Board of Trade is a widely different office—one of a nature so engrossing, so absolutely overwhelming, that it can never leave any time to its possessor for other employments ; so that, even if the Treasurership of the Navy is not, the Presidency of the Board of Trade is, incompatible with a distinct and separate occupation, be it of what kind it may. But if I am asked whether the Treasurer of the Navy will not have more spare time

than it is necessary to bestow on the miscellaneous business with which government is overwhelmed? I at once answer, no. I feel persuaded that immense benefits must result from the application of the surplus time of persons whose leisure, like the Treasurer of the Navy, is not entirely absorbed by an attention to the duties of their office ; and that by these means much of the superabundant business of the state may be transacted. It may be sufficient to allude to one of the extra-official duties imposed upon the ministers of the crown—namely, the necessity of hearing cases in the privy council. I have no hesitation in saying it would be utterly impossible for me, and, considering the nature of their avocations, for my hon. friends, the Secretary for the Home Department, the chancellor of the Exchequer, or the President of the Board of Trade, to attend for the purpose of hearing causes in the privy council. But the Treasurer of the Navy is differently circumstanced, and the place he fills is precisely that sort of office which is best calculated for being applied, and, in the purest and best times of parliament and the British government, has been always applied, to such subsidiary purposes—purposes best suited to forward the business of the state, and, deprived of the benefit of which, public affairs could not but suffer immense detriment. In 1782 the Board of Trade was considered as a sinecure ; but now, when from the increase of commerce, and other causes, that department had become one of the most important in the state—an adequate provision ought to be made for the functionaries connected with it. The amount of salary in-



tended to be granted has not been disputed, and all we require is, that it should be annexed to the Presidency of the Board of Trade, the duties of which my right hon. friend has shown himself so capable of discharging, and not to another office, which his attention to the former renders it impossible for him to fill.

With a view of affording time to fall upon some arrangement which might reconcile the opinions of all parties, and obviate the necessity of a division which could not but be unpleasant to Mr. Huskisson, Mr. Calcraft moved an amendment, that the Chairman should report progress, and ask leave to sit again. It was lost by 83 votes against 44. An amendment then moved by Mr. Hume, "That a salary of 5,000*l.* should be given to the President of the Board of Trade; and that it is expedient that an inquiry should be instituted to ascertain if any, and what, alteration can be made in the office and salary of the Treasurer of the Navy," shared the same fate.

On the motion for bringing up the report (10th April), the opposition was again renewed by Mr. Hobhouse, on the same ground, that the measure was merely a pretence for increasing the means of governing by patronage, by splitting one placeman into two; and lord Glenorchy asked, how the House of Commons could prove any check upon the executive government, if they were to suffer such a continual influx of placemen? This called forth from Mr. Canning a very animated justification of ministers from the charge of seeking to derive influence from such expedients. Never, he said, had a government gone on with so

few accessions of strength in this way. He thought, indeed, they had carried the principle of abstinence, in this particular, to too great an extent; and he gave the House fair notice that he intended to protest against this abstinence on the part of government. Mr. Pitt, who was equal to any ten of them in debate, thought that he could not safely enter the lists against the opposition of the day, without the assistance of the Master of the Rolls; and that officer had given his aid to government in the House of Commons until latter times, besides another law officer, who answered in the civil law to the Attorney-general, the King's advocate. Now, was it not most material to the present administration to have the aid of these officers in the House of Commons: not only because of inferiority in point of talent, which alone would be a sufficient plea, but because of the accidental, but formidable, circumstance of the present opposition being composed almost entirely of lawyers? There never had been a time in which the gentlemen of the long robe prevailed so much in the councils of the opposition. Of what advantage would it not be to ministers to have such a character as the Master of the Rolls to come to their assistance, when the contest ran high with the legal gentlemen? In all their chancery debates, for instance, the authority of the Master of the Rolls would go for something, at least. Upon that, and similar questions of an equally technical description, he, and his right hon. friends about him, were totally at a loss—they did not know their ground; and whether they determined to advance, or to retire, they were alike



exposed to all the perils of ignorance. In such cases the legitimate authority of that officer would be found highly available. Again, never, till the present time, was the office of Judge Advocate filled by a person not a member of the House. These facts rebutted the general accusation, that they were looking out for placemen to recruit the ranks of government, regardless of any other object. If such had been their tactics, and if they had not resolved to stand upon their own strength, what abundant opportunities had they not missed, of which they might have availed themselves, without any one being able to gainsay them? To the proposition, that the Treasurer of the Navy should not be a parliamentary officer, he felt stronger objections than even to diminish the salary. He knew of no law which obliged the king to send to parliament for his ministers; but was there no good sense in selecting them from that House? Was there no advantage in the choice of the crown being obliged to stand the test of that House, in a minister's being put to the proof there, and in his being known to that House and to the public previously to his elevation to office? While those men only were raised to favour "whose talents and eminence were known to that House," there was a great security against favouritism. The effect of the choice falling elsewhere than in that House, would tend to lower the standard of public officers—to cause a degraded and demoralized class to spring into the seats of power, which, so long as the eye of parliament and of the public were upon them, would not be the case. Among these officers—among those

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to whom those principles applied, the Treasurer of the Navy, he contended, was one. He had always held a parliamentary eminence of a rank next in importance to the ministers of the crown. He spoke with sincerity, when he said, that he thought the office of Treasurer of the Navy ought to remain a parliamentary office; and he spoke disinterestedly, because it would not add the value of a hair's weight to the preponderance of government. Were the officers of government to be excluded, as seemed to be the doctrine of hon. gentlemen opposite, from the House of Commons, the consequence would be, that the offices of state, of every grade, would become the objects of a general scramble to a host of favourites, instead of being, as they now were, and as, in this parliamentary constitution, they must ever remain, the reward of public conduct, and public talents.

The House again divided, when the motion of the chancellor of the Exchequer was carried by a majority of eleven. Mr. Canning thereupon said, that as the opposition to the measure was so strong, he should not feel himself called upon to press it. He viewed with regret the small support which had been given to it; and though, as a matter of principle, he was ready to defend it, yet, on the ground of expediency, he would abandon it.

Mr. Peel still continued, with unabated industry, his most useful labours for the simplification and improvement of the Criminal Code. On the 9th of March he introduced a bill to consolidate the various acts encumbering the statute-book, and confusing each other, which related to offences

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against property. The number of persons, he said, who came under their direct operation yearly, was scarcely credible. In 1825, 14,437 individuals had been charged with various offences, and of these 12,530 had been committed for the crime of theft. During the last seven years, 247 prisoners had been tried for forgery; 111 for murder; 50 for arson; and 43 for perjury; but the number of those who had been tried for larceny was no less than 43,000. To simplify, therefore, the statutes which formed the law relating to such an offence, was an important object. These amounted to ninety-two in number; and provisions regarding theft were frequently found mixed up with other matters, among which nobody would think of looking for them. Thus, a law providing for the better preservation of hollies, quicksets, &c. was comprised in an act for the preservation of the revenues of his majesty's customs, and the regulation of custom-house officers in Senegambia. A clause providing punishment for another penal offence was contained in an act permitting the importation of a better sort of barley called bigg. He had now collected the scattered enactments and reduced the whole mass within the compass of a bill of thirty-two pages. By a single clause, he would get rid at once of twelve statutes against reset of theft. One act was directed against the knowing receivers of stolen lead, iron, or brass; another against the receivers of stolen pewter; a third, against the receivers of stolen bank notes, and so on. He should simply substitute for them a single provision, making the receiving of any money, goods, chattels, bill, or security, a felo-

ny, and the party guilty to be indictable as a principal, or as an accessory after the fact. In the law concerning accessories, he wished to remove a most inconvenient distinction, by which, although an accessory before the fact might be tried either in the county where the crime was committed, or in that in which he had become an accessory, it was not so in the case of an accessory after the fact. Two persons concerned in a late burglary at earl Cowper's residence in Hertfordshire, from whence upwards of 2,000*l.* had been stolen, had been tried and executed for the offence; but one man, who had been an accessory, escaped, in consequence of its having been found impossible to try him in Hertfordshire. He had been subsequently convicted at the Surrey assizes, at an expense of no less than 426*l.* He should propose that in future an accessory after the fact should be liable to be tried in the county where the act was committed. Farther, the proposed bill would supply several deficiencies which were to be found in the existing law. At present, to commit a robbery in ready-furnished lodgings was a high crime, and a trespass on a river running through a gentleman's estate was a grave offence; but to commit a robbery in unfurnished lodgings, or a trespass on a boundary stream, was no offence at all. He thought that all property deserved protection, and intended to remedy this defect. In the same way, it was larceny to steal the securities of property vested in our own funds, but it was no crime to steal the securities of property vested in the funds of foreign countries. He proposed to place both on the same footing. Another important im-



provement which he would offer to the consideration of the House would be, to give judges the same power of awarding prosecutors their costs in cases of misdemeanour which they already possessed in cases of felony. To leave to individuals the expense of indicting and carrying through criminal proceedings against public offences, appeared to him to be a niggardly and inexpedient course. It changed the nature of such prosecutions, and gave them more of a personal than a public character. It was moreover an additional and a grievous hardship upon individuals who had been injured, that, when they sought redress, they should be loaded with the expense of obtaining it. He knew one instance in which a gentleman having, with much public spirit, prosecuted a constable whom he detected in gross misconduct in his office, found that, by doing so, he had incurred an expense of 80*l*. The consequence was, that, in nine cases out of ten, criminals escaped, because the parties injured compromised the offence, or put up with the wrong, rather than subject themselves to the cost of a prosecution; and he believed that no more important benefit could be conferred on the community, than the transfer of the expense of prosecuting criminals from the hands of private individuals to those of government.

The bill, however, was not carried through during the session, Mr. Peel stating that, from the multiplicity of objects which it comprehended, and the very minute nature of the details, it was necessary to proceed in it with the most cautious deliberation.

Another bill which was introduced by the Home Secretary, and

passed into an act,\* had for its object the removal of certain inconveniencies belonging to the administration of the criminal law generally, and in particular the amendment of the existing regulations relative to admitting to bail in cases of felony. Considering, said Mr. Peel, the great number of persons committed on charges of felony, and the large proportion of them ultimately discharged, either from the insufficiency of evidence, or for other reasons, he could not but think it proper that, under sufficient safeguards, the powers of magistrates to admit to bail ought to be extended. An alteration of the existing system was desirable, not only as it affected the liberty of individuals, but because a man never came out of prison so good a member of society as he was before his committal. At present no discretion was left to the magistrate; he was bound to commit on every charge of felony; and therefore it was that he proposed to enact that, when a prisoner was taken before one or more magistrates, on a charge of felony, supported by positive and "*credible*" evidence, or such as, if not contradicted, would establish his guilt, he should be committed by the said justice or justices: but that, if the prisoner were taken before one magistrate only, and the evidence produced were not sufficient to raise a presumption of his guilt, the magistrate should remand him until he could be brought before two or more justices; and if, on taking the prisoner before them, the evidence produced were not sufficient to raise a presumption of

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\* 7 Geo. 4. c. 64, "An Act for improving the administration of Criminal Justice in England."



his guilt, though it might be such as to require judicial investigation, they should be empowered to admit him to bail. It was well known that even at present the Court of King's-bench was authorized to admit to bail under the circumstances contemplated by this act; but the expense was so great, and particularly in remote parts of the country, that relief from that court could hardly be said to be within the reach of the poor.

To a clause which enacted that all accessories before the fact should be liable to the same punishment as the principal felons, Mr. Scarlett objected, that, instead of ameliorating the law, it went to increase the number of capital felonies. But it was answered, that the provision was merely an application of the general principle of the law of England. In every case in which the subject was mentioned, the accessory was punishable to the same extent as the principal; and the inference was, that where the subject was not mentioned, the omission was accidental. In all cases of murder, burglary, stealing in houses, horse-stealing, arson, forgery, &c., the accessory before the fact was subjected to the same punishment as the principal. Why not, then, in all other cases?

The proposal for allowing the counsel of prisoners upon their trial for felony to address the jury upon the evidence, which had been so frequently unsuccessful already, was again brought forward by Mr. Lamb, but with no better fortune. The measure was supported by Mr. Williams, Mr. Twiss, Mr. Scarlett, Mr. Brougham, and Mr. Denman, and opposed by Mr. Peel and Mr. Canning, in addition to the Attorney and Solicitor general, and Mr. Tindal. The Attorney-general al-

lowed, that, in regard to its merits, the opinion of the bar was very much divided; but looking at it merely in a practical light, without being misled by theory or authority, he was convinced that its effects would be injurious to prisoners. As criminal proceedings were now conducted, the prosecutor's case was opened by a simple statement of facts, and the judge always took care that his counsel should not go farther, and the evidence was dispassionately heard. After this, the prisoner's case was gone through in the same way, except that there was no previous statement of facts, because the general nature of the case was already understood. There was finally the charge of the judge, carefully sifting the evidence, and calmly applying the law. But how very different would all this be, if counsel were heard on both sides. There would then be all the zeal, the animation, and the struggle for victory, which were usually seen in civil cases. This was no exaggeration; for it was witnessed in the Court of King's-bench, where criminal offences of certain kinds, such as charges of perjury, were tried under these circumstances, and were usually carried on in the same spirit as where merely the civil rights of the party were at issue. If counsel were heard for the prisoner in felonies, they must be heard with the same limitations as in other cases. One of these was, that the counsel for the prosecution would have the benefit of a reply, whenever the prisoner's counsel called any witnesses. So that there would always be a very difficult and embarrassing question for him to decide; namely, whether he should call a witness who might be material for the defence of his



client, but by doing which he would expose him to the danger of a reply which might more than counterbalance the favourable effect of the testimony. The functions of the judge, too, would unwittingly assume a character disadvantageous to the prisoner. If the address of the prisoner's counsel threatened to be efficient, the judge would, in many cases, be compelled to animadvert on that address. In doing this he might unconsciously pass the exact boundary which ought to circumscribe his remarks; and then the impression would, in all probability, frequently go forth among the persons in the court, that the verdict of the jury had sprung from the remarks of the judge. This, surely, would not be a desirable state of things; for the judge, instead of being, as now considered, counsel for the prisoner, would go forth as counsel against him.

Mr. Peel admitted that the arguments which might be raised on both sides of this question were very equally poised; that the legal opinions upon it were nearly equi-ponderant; and that, if he were convinced of the alteration being useful and fitting in itself, he would not oppose to it merely the antiquity of the law which it was intended to change. If the allowance of counsel would lead to the better explication of the truth, or if there existed any general impression that, from counsel not being allowed, the law was not duly administered, there would be an end of the question; but he had, from his official situation, as ample means as any member of that House, of learning the feelings of the country on such a topic; and his experience led him to the conclusion that justice was most

satisfactorily administered. He had no recollection that, in any petition presented to him on behalf of a convict, the grounds taken up were his not having been allowed counsel. Prisoners frequently complained that their solicitors had omitted to call proper evidence, or that the witnesses on whom they had relied were not forthcoming, or that they had not had sufficient notice of the facts with which they had been charged, to be enabled to disprove them; but in no instance did he recollect of any hardship being imputed to the want of counsel. The common law of the country required an unanimous verdict of the jury to convict a prisoner. This necessity of unanimity was an immense protection and security to the accused; and it destroyed, at the same time, the argument drawn from the example of Scotland. There, unanimity in the jury was not required: their verdict was decided by a majority; so that a single voice might determine on the life of the party charged. Thinking that justice was properly and fairly administered, and very mainly, as respected prisoners charged with felonies, by reason of this peculiar feature in the constitution of juries—he, for one, was very unwilling to risk a change of the system.

Mr. H. Twiss said, it was an inconceivable absurdity that counsel should be allowed to start, and multiply, the most frivolous and visionary objections to the form and phraseology of an indictment, which were almost always inconsistent with real justice, and should be prohibited from intermeddling with the very substance, the merits and evidence of their client's case. If a prisoner wished to address the jury upon the facts of his case, he



must do it with his own lips. But suppose that either from natural disability, or physical impediments, or the accidents of his situation, the prisoner should be unable to do so; suppose he should happen to be dull of capacity, and illiterate, deaf or dumb, or overwhelmed by fear, and incapable of speaking from the very consciousness that, upon the manner and effect of his speaking, depended nothing less than his own existence;—no matter; still the rule was general and the exceptions not provided for. But if disability of this kind on the part of prisoners were a general one,—would not parliament be disposed to relax such a rule? Undoubtedly it would.—But in point of fact that general disability did exist.—And if the prisoner was overwhelmed, stunned, incapable of reflection,—what mattered it whether his silence or imbecility, fatal as it might be even to his life, arose from any general defect of all those organs which should have served him in the hour of his necessity,—or was a consequence produced by the situation in which he found himself at the bar?—It was a proverbial saying, that “he who is his own counsel has a fool for his client.” Of course, the converse of this proposition was true, and he who was his own client had a fool for his advocate. Why? Because the all-engrossing, all-absorbing care of a man for his own interest, was the very principle which incapacitated him for its due protection. And yet to this very defective advocacy did the law at present intrust the case of a prisoner, whose incompetency to do justice to his own case was of necessity aggravated by a knowledge of the serious consequences attendant upon his failure. As to

the fiction of the judge being counsel for the prisoner, it would, in most cases, be much more true to say, that he was counsel against the prisoner, and for the prosecutor. Where did the only instructions which the judge received in any of these cases, come from? From the depositions of the witnesses for the prosecution. Sir Robert Atkyns, in his notes upon lord Russell’s trial, had truly said, “I well know by experience what sort of counsel judges usually be for the prisoner.” Usually the jury understood the charge of the judge to be intended with the view that the prisoner should suffer no wrong; but in that respect the judge was surely as much counsel for the prosecution. Fair play, barely, was not enough for the prisoner, where his antagonist was a skilful and practised advocate. There were particular cases in which the slightest variation of proof established the broadest distinction of crime; as in the common instance of a sudden fray, wherein one man has stabbed another. There the question would be whether he had done so with malice aforethought? whether the fact was that he had done so with *malice prepense*, was precisely the consideration that would make all the difference in the crime of the survivor, “manslaughter,” or “murder.” Why, therefore, should not counsel be allowed to address the jury upon the nature of the proof adduced to so important a point? In treason, which was the highest species of offence known to the law, and in misdemeanour, which was the lowest, counsel were allowed to prisoners: and why should the same liberty in felony, an offence intermediate between those two, excite so many apprehensions?



Mr. Tindal said, the first consequence of the proposed alteration would be, that the counsel for the prosecution would change his character. He would no longer continue to be what he was at present, the minister of justice; but would be converted into the advocate of a party. Feeling conscious that he was to be opposed by opposite counsel, it was not likely that he would, as now, confine himself to a simple statement of facts. In civil cases, the advocate, knowing the right possessed by the counsel for the defendant, omits no argument, and has recourse to every expedient which he thinks calculated to prepossess the jury in his favour. Now, if trials for felony should be placed upon exactly the same footing as civil cases, was it not likely that the same exertions would be made, and the same advantages taken, to secure a conviction? It was not very difficult to perceive that the prisoner must undergo very serious inconveniencies, if the privilege should be granted of allowing counsel to make a speech for him. Gentlemen employed in the criminal courts were generally juniors in the profession. Whatever their talents might be in other respects, they were not so adroit as some of his learned friends in making out the best cases, and drawing up the most able defence. Men of the first talent in the profession could not, except in very few instances, be retained by the prisoner, because he could not afford the expense; but would they not be retained by the prosecutor, knowing the advantage the prisoner would derive from this alteration in the law? So that though a strong arm would thus be placed at the disposal of the prisoner, a stronger still would be brought to

the assistance of the prosecutor. Suppose the counsel for the prisoner were to make a powerful address to the jury, he appealed to his learned friends round him, who were well acquainted with the practice in civil cases, whether, in criminal cases also, if this practice were permitted, the counsel for the prosecution would not naturally exert all his talents to do away, if possible, the effect thus produced: and whether, however powerful might be the address to the jury in favour of the defendant, an able advocate might not render it inoperative on their minds, by skilful and dexterous management? In nine-tenths of the cases tried in one of their criminal courts before his learned friend (Mr. Denman), there was no prosecuting counsel at all. In many there was no counsel employed on either side, and yet he heard no complaints of the manner in which the law was administered. It had been argued, that to concede the privilege in offences so high as treason, and so low as misdemeanors, and refuse it in cases of felony, was an anomaly which could not be justified or explained. Even if it were an anomaly, yet rather than alter it, because it was an anomaly, they should adhere to a practice, which, having existed for so many ages, it was rational to conclude had been found productive of advantages. What greater anomaly, to all appearance, could there be, than a jury, composed of twelve men, drawn together from different parts of a county, to decide unanimously on questions of which they were, perhaps, before utterly ignorant, and compelled to become unanimous by hunger and thirst? It might be said also that appeals to the House of Lords were an



anomaly. One would think that, after a case had been disposed of in the other courts, by men learned in the law, to refer it for a final decision to those whose habits did not fit them for the administration of justice, was as great an anomaly as could well be conceived. It was found, however, that justice was thus satisfactorily and effectually administered. It was said that the practice was allowed in all foreign countries. Wherever it prevailed, however, there was a strong counterpoise against it. In France, for instance, and in Scotland, there was a public prosecutor, by whom the prisoner was examined before his trial; and the result of the examination was communicated to the plaintiff, who might thus be prepared with an answer to any defence the prisoner should instruct his counsel to make. He doubted whether those, who were favourable to the measure, would be willing to carry it into effect, on the condition of connecting it with the existence of such an officer as a public prosecutor. He had fully made up his mind on the question, and the conclusion to which he came was, that it would not be beneficial to the prisoner.

Mr. Scarlett thought that cases of circumstantial evidence were the only cases in which the assistance of counsel would be found useful; and, although he was still in very great doubt, he would support at least the introduction of the bill, because he was convinced it would increase the number of convictions of the guilty, many of whom now escaped from the tenderness of the judge, and it could be productive of no prejudice to any innocent man.

On a division 36 members voted for the motion, and 105 against it.

An act (7 Geo. 4. c. 57) was likewise passed, consolidating in one statute the different enactments in regard to insolvent debtors, and making some changes in several of their provisions.

During the early part of the session, the attention of the House was occupied with a charge which Mr. Denman had preferred the preceding year against Mr. Kenrick, a magistrate of the county of Surrey, and one of the Welch judges. This gentleman had lodged an information against a man named Franks for stealing a piece of wood, which certainly turned out to be of very trivial value. Franks had been committed to prison; and a bill having been found against him by the grand jury, he was tried, and acquitted. Upon this Mr. Denman brought the matter before parliament, charging Mr. Kenrick with having made a false and malicious accusation for purposes of oppression, and justifying the interference of the House of Commons, to punish him, by the fact of that gentleman being a judge, as well as a county magistrate. Those members who thought that the case deserved not the interference of the House, argued that, although Mr. Kenrick was a judge, yet even allowing what was imputed to him to be true, it had no connection with his judicial functions. He had not acted as a magistrate in lodging the information; there was no malversation in office; there was no abuse or prostitution of judicial powers. All that he had done, he had done as a private individual. There might indeed be cases of private misconduct amounting to such infamy as would render the individual guilty of it unworthy of sitting upon any bench,



and justify the House in addressing the crown for his removal; but in the present instance, there neither was any such misconduct actually, nor any good reason to believe in the existence of malicious motives. True it was, that Franks had been acquitted; but true it was likewise, that the grand jury had found a true bill against him. If Mr. Kenrick had been guilty of a malicious prosecution, and been convicted of that offence in a court of law, that might justify the House in praying for his dismissal. But the measure now proposed was to deprive him of the benefit of a legal trial. He was liable to a criminal action in an ordinary court; he was entitled by the law of the land to be tried by twelve of his peers: but this was an attempt to deprive him of his birth-right, to try and condemn him by anticipation, and that, too, by the House of Commons. If Franks should prosecute, how could Mr. Kenrick expect an impartial trial, with a sentence already pronounced against him by such an authority; and if he Mr. Kenrick should be acquitted, in what light would the House of Commons appear?

The House, however, entered into evidence upon the charge; and Mr. Denman, after counsel had been heard for Mr. Kenrick, moved, "That, the charges against Mr. Kenrick having been fully established, except that part which stated that he had offered to withdraw the prosecution, in consideration of Mr. Franks's good character, it appeared to that House that he had showed himself an unfit person to exercise the judicial function; and that an address be therefore presented to his Majesty, praying that he would be graciously

pleased to remove him from the office of judge of the great session of Wales." The motion was negatived without a division.

The commission which had been appointed to inquire into the administration of justice in the court of Chancery had made a very elaborate and voluminous report, to which was annexed an immense mass of evidence, containing some grains of wheat amid a huge accumulation of chaff. The conclusions to which they came they had reduced into 187 propositions, containing the alterations in the practice of the court which they thought might be adopted with advantage; and as it was known that the attorney-general intended to bring forward a measure founded on these propositions, Parliament was for some time spared those declamations, which, in former sessions, had usurped a place that would have been better filled by pointing out specific defects or suggesting specific improvements. Still it was impossible to suppress entirely that paltry and unjust spirit, which, in order to wound lord Eldon, had long been busy in depreciating the court of Chancery; and the new efforts of his detractors afforded new examples of their incorrigible ignorance. On the 7th of March, Mr. Hume moved for a return of the number of persons in confinement for contempt of the court of Chancery. He did not seem to be aware that the process of contempt is not an instrument issued voluntarily by the court to avenge a supposed insult done to itself, but that it is the means which one subject employs to compel another to do him justice; and that the man, who is in prison for contempt, remains in that situation, only because he per-



sists in refusing justice to his fellow subject. The great complaint which Mr. Hume made was, that the Insolvent Debtor's Act, though it relieved persons who were in contempt for not paying money which the court had ordered them to pay, gave them no relief where the contempt consisted in the non-payment of costs. The attorney-general, by way of answer, read to him the clause of the Insolvent Debtor's Act, which provided expressly for the discharge of persons who were imprisoned for non-payment of costs; and certainly, a more satisfactory refutation there could not be. This clause, extending the relief of the Insolvent act to cases of non-payment of costs, was originally introduced, we believe, at the suggestion of lord Eldon himself.

Mr. Hume repeated his attack on the 11th of April, on the occasion of presenting a petition from a person of the name of Richardson, who complained of being confined in York Castle for contempt of the court of Chancery. The case was, that a mortgagee of a small property, which belonged to Richardson for life, had filed a bill of foreclosure; Richardson did not put in any answer, and the process of contempt, therefore, issued against him. It never occurred to Mr. Hume that the mortgagee had no other means of getting his money than by forcing on his suit; that he could not do so except by forcing Richardson to answer; and that the process of contempt was the remedy which the law of the land gave him to render his rights effectual. But lord Eldon was to be vilified, because, forsooth, a mortgagee chose to enforce his rights! One circumstance of aggravation stated in that petition

was, that Richardson's infant son was also in confinement along with him. Whether the child was actually in confinement in consequence of any process, or had only been taken there to accompany his father, did not appear; but, in either case, the complaint was frivolous and dishonest: for, if the infant was in the prison by the desire of his parents, that could be matter of blame to no one but them; and if he was there under any process, that process was irregular, and contrary to the rules of the court; and, the moment the case was stated, would have been discharged at the costs of the solicitor who had so abused it. Mr. Hume, in the observations with which he introduced the petition, spoke of the Lord Chancellor as a curse to the country. The murmurs of disapprobation which broke forth from all sides of the House, and the loud expression of condemnation and displeasure which assailed him, were an involuntary testimony to the splendid talents and unspotted virtue of the greatest of our judicial sages.

Another equally unreasonable complaint was made on the 21st of April, when Mr. Sykes presented a petition from an attorney in Hull. This attorney had caused various of his bills of costs to go through the form of taxation, when there was no person to check his proceedings, and had thus gotten them allowed against the estate of a lunatic. Some years afterwards, the next of kin, having discovered that the solicitor had not acted properly, petitioned for a re-taxation of the costs. Lord Eldon, acting upon the invariable principles of the court, which have been established with a view to



the safety of the suitors, ordered the bills of costs to be re-taxed; and this order, though not to have made it would have been error, was gravely stated as a ground of accusation against the judge and the tribunal. In the discussion on this most notable petition, Mr. Hume displayed the usual ignorance of the assailants of our courts of justice. "If," said he, "they looked at the report on the table, they would find, that a sum of about thirty-nine millions sterling lay locked up in the court of Chancery; a pretty nest-egg for the chancellor of the Exchequer or his successors. The sum belonging to the suitors had greatly accumulated within no very long period of years: what a mass of good would have been done, if such an immense sum as this had been distributed to the parties! But he believed it would never be liberated by the present Chancellor." Such were the statements to which the English House of Commons deigned to listen! Did it never occur to the mind of this most accurate inquirer, that the greater part of this sum was money which no person had, or could have, either right or power to distribute. It was there for the purpose of administration; the dividends were either paid to those who were entitled to receive them, or they accumulated, if the person, who had the right to direct what should be done with them, had so ordered; the capital remained in court, because the periods, fixed by wills, marriage settlements, trust-deeds, &c. for the distribution of it, had not arrived: but of the funds standing in the name of the accountant-general, there is only a very small part which is detained there by adverse litigation; and that small sum

generally remains deposited for no long period of time. The thirty-nine millions said to be "locked up in the court of Chancery" are, for the most part, no more locked up than an equal sum standing in the names of trustees: and the increasing magnitude of the funds in court proves only the increasing utility of the court as an organ for administering property, and for protecting the interests of infants, married women, and others who are not able to assert their own rights.

The fury of the attack which has been made of late on the court of Chancery, and the ignorance displayed by the assailants, though some of them were men who lived by the practice of the law, form, indeed, a curious trait in the parliamentary history of late years. That court has its faults, and is capable of great improvement: still, with all its faults, it administers a much more enlightened and comprehensive system of jurisprudence than exists any where else; and it renders greater services to the community than any other of our tribunals. The courts of common law apply a system, which, though useful within its own narrow limits, is altogether unequal to the transactions of human society; and if no justice were to be found in England except what can be gotten in the King's Bench or Common Pleas, law would be more an instrument of wrong than of right. The Ecclesiastical Courts, and the Courts of Admiralty, again, abound in gross abuses, and involve parties in the most enormous expenses. Yet the senseless vituperations, which were poured out against the court of Chancery, produced some effect in degrading it in public opinion; for the generality of



men, as ignorant of the matter as those who spoke on it, could with difficulty believe that senators would stand forth the accusers of the highest of our courts of justice without taking the least pains to understand the principles, or investigate the facts, on which the question of its merits or demerits necessarily turned. It did not occur to common understandings, that a man of sense and virtue could hold himself out as the improver of a machine with the frame and structure of which he was totally unacquainted.

On the 15th of May, the Attorney-general moved "for leave to bring in a bill to regulate the practice of the Court of Chancery." He prefaced his motion by a long and able speech, in which he explained, in popular language, some of the general principles of courts of equity, and the outline of their forms and course of proceeding. It was the more necessary to do this, because, the great difficulty of meeting the attacks of enemies of the court of Chancery consisted, not in detecting the futility of the objections that were made, but in communicating so much knowledge of the subject to those who made or heard the objections as would enable them to comprehend when a satisfactory refutation was given. He described, likewise, the course which the commissioners had taken; and, without descending to minute details, pointed out the aim and nature of the alterations which the proposed bill was intended to effect. We do not enter into the particular topics discussed in the speech; partly because they were necessarily of a nature too strictly

professional to be generally intelligible, and partly because it was not intended that any farther proceeding should be taken in the matter during the present session. The object of his motion was merely to bring the subject before parliament; but the prosecution of the bill was to be deferred to the first session of a new parliament.

The discussion which followed the motion of the attorney-general, was very temperate. Some of the minor orators were dissatisfied that the commissioners had not found fault with the Lord Chancellor; and they stated, or insinuated, that that noble person had, in fact, by his influence caused the investigation to stop far short of the lengths to which it ought to have gone. These statements and insinuations were fully answered by Dr. Lushington: "With regard," said he, "to the conduct of the Lord Chancellor, he (Dr. Lushington) did but discharge a debt of justice to that individual when he said, that, from the beginning to the end of the investigation he had given the most material assistance to the commissioners. He did not deliver his opinions to them as dogmas, but allowed those who doubted of their correctness to investigate them thoroughly, affording them every explanation which they required, and that, too, in a manner which left on his mind a most favourable impression with regard to the learning, intelligence, and integrity of that learned lord. So far from ever seeking to check inquiry, he had done every thing to promote and forward it."



## CHAP. V.

*IRELAND.—Catholic Emancipation—State of the Protestant Church in the Province of Munster—Motion for a Committee of Inquiry upon First-Fruits—Motion for a Committee on the levying and application of Church Rates—Education—Chartered Schools—Bill to regulate the Relation of Landlord and Tenant—Motion for a Committee on Tolls and Customs.*

**A**LTHOUGH Ireland was sharing largely in the general distress, her internal situation was one of tranquillity, if allowance be made for those acts of individual atrocity which so frequently darken her annals, and those heart-burnings fostered, if not kindled, by the Catholic Association, which, in summer, blazed forth at the command of the priesthood, against the landlords at the general election. The Catholic Association, notwithstanding the act for its suppression, still existed in substance; the same irritating, and yet absurd, harangues were delivered; the same engines of influence were kept in active operation; the same contributions, which formed the Catholic rent, still continued to be levied. The ordinary turbulences of elections were indeed aggravated by the unhappy spirit of religious rancour which the zeal of the Catholic clergy superadded to political differences; and, in more instances than one, they terminated in blood. But, with this exception, there was no violation of the public peace; and Ireland remained free from the outrages to which the suffering artizans, in the manufacturing districts of England, allowed themselves to be excited by poverty and distress.

During the session of parliament, the question of emancipation was not formally stirred in either House. The vote of the House of Lords in the preceding session had convinced the supporters of the measure, that little could be hoped from again so speedily agitating the question; and the atrocious language used, and violent resolutions voted, in assemblies of Catholics, only tended to create additional obstacles, by exciting greater irritation, and displaying more clearly their ultimate and dangerous views.\* The question,

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\* The oratory of men who can neither think coolly and correctly, nor speak with propriety, is never worth preserving, except as shewing the very lowest degree of sense and decency compatible with public notoriety, and vulgar influence. Of this it would be impossible to find a more valuable specimen than the following language, used in a public meeting in Dublin, in the beginning of November, by Mr. O'Connell. When it is recollected that the speech was delivered while the duke of York was labouring under the illness which, in a few weeks, terminated his life, and just a month before Britain, roused in a moment by an inroad of despotism upon an ally, stood armed with the rapidity of lightning, on the banks of the Tagus, and, fearless and prompt, frowned Europe into peace; it furnishes an admirable commentary on the goodness of the man's heart, and the soundness of his head, on the extent



however, was still kept before the eye of both Houses [by petitions from different districts and bodies in Ireland, particularly those presented to the House of Peers, by lords Darnley and Grey, and the marquis of Lansdown, and to the Commons by sir Francis Burdett, and Mr. Brougham. The petitions were more especially directed to a disclaimer of the imputation of owing a divided allegiance; evidently on account of the weight which the argument of the Anti-Catholics on this point had carried with it, or had seemed to carry with it, in the debate of the preceding session. Lord Darnley, in fact, in presenting a petition from Drogheda, proceeded to answer

of his learning, and the suavity of his manners.

"I wish no physical ill to the royal duke; but if he has thrown his oath in the way of our liberties, and that as long as he lives justice shall not be done to the people of Ireland, it is mockery to tell me that the people of Ireland have not an interest in his ceasing to live. Death is the corrector of human errors; it is said to be man's hour for repentance, and God's opportunity. If the royal duke should not become converted from his political errors, I am perfectly resigned to the will of God, and shall abide the result with the most christian resignation [laughter and cheers]. The Whigs, and, amongst others, lord Grosvenor, have blamed us for the honest expression of our opinions. I blame the Whigs for this. A former duke of York, the [legitimate king] of England, was dethroned by the English Whigs, although he had never taken an oath against their rights and liberties; and who, instead of endeavouring to injure a single Protestant in person or in property, could be only charged with the crime of proclaiming perfect liberty of conscience. Only contrast the duke of York whom they dethroned with our modern duke!"

"We will drag before the House of Commons the enormous abuses of the

the speech of lord Liverpool delivered the year before, and characterized the imputation of divided allegiance as "a false pretence," because the Catholics in all their petitions declared, that, in the oaths which they took, and were ready to take, they swore allegiance to his majesty alone. Lord Liverpool answered, that although he never doubted the sincerity of the Catholics in disclaiming *civil* allegiance to any foreign power, the fact could not affect the argument; for his argument was that *spiritual* subjection to a foreign power was inconsistent with *civil* obedience to our own sovereign.

At the same time, a sort of schism threatened to take place

established church [loud cheers]. We will call for the restoration of the people's property. Through the doors of the House of Commons we will tell the peasantry that their property is in the hands of men who abuse and trample on them. We will announce to them who are the robbers of the poor, and when we have done that, let such statesmen as Liverpool and Peel keep us unemancipated, in order to strengthen and secure the established church."

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"England's weakness is our advantage. I do not rejoice at individual distress or misfortune, but I cannot help being gratified by the national misfortunes of England. Her revenue is on the decline, while her expenditure is increasing. I read with pleasure of the cheers with which the speech of Mr. Canning was received at the Mansion-house in London, when he told them that there was not the least danger of war—all was hush! Oh! humiliated England! When before did she fear battle; and was not the peace of the world at her disposal? Was she not always ready to enter the field at the call of glory, interest, or honour? But Mr. Canning told these good boys that there was no danger of the peace of the world being disturbed. I understand his meaning well—England dare not go to war while Ireland remains discontented."



between the Catholics and the Dissenters. It appeared to the former, that the Dissenters, from whom as also labouring under political disqualifications they naturally looked for sympathy and support, had either openly joined the body of their opponents, or had manifested only a cold and discouraging neutrality, not reflecting, that the liniment applied annually, in the shape of an Indemnity bill, to the sores of the Dissenters, prevented that constant irritation which kept the wounds of the Catholics perpetually green, especially under the care of such rash, and ignorant, and interested, practitioners as the associated agitators; and that it is never easy to rouse men to battle for an abstract principle, where no practical inconvenience is felt, or supposed to be felt, from its non-assertion. Lord Darnley complained bitterly of their inconsistency in pressing the abolition of negro slavery, and resisting the abolition of Catholic disabilities. "They form," said his lordship, "a powerful and numerous sect in this country, and are undoubtedly respectable and well-meaning: yet, while they were urging the government and parliament to precipitate the emancipation of the negroes, they were busily engaged last year, in most unnatural connection with the High Church party, in inducing their lordships to reject the prayer of the Catholics of Ireland. In one breath, these persons called upon parliament to precipitate a measure, the precipitation of which it was by no means impossible might compromise the safety of the colonies, and to deny to Ireland that emancipation by which alone her tranquillity and safety could be effectually secured." Perhaps

the Dissenters might have answered, without being thought to violate sound reasoning, that, although Dissenters, they were Protestants; that apprehensions of the influence of foreign spiritual supremacy, the conviction of the degrading and debasing effects of the Catholic superstition in all the relations of life, and the reasonable dread that all its powerful control over the minds of its adherents must be, and would be, directed to the overthrow of the Protestant religion, and of the form of government that gave supremacy to protestantism—that all these causes of opposition, whether well founded or not, were common to all Protestants; and that no inconsistency could exist in the union of a churchman and a dissenter to repel a common danger.

While the claims of the Catholics were merely the subject of incidental remarks, the condition of the Protestant church in Ireland, the discharge of its duties, and the management of its funds, were frequently made the subjects of more direct discussion.

In the House of Lords, lord Kingston moved for the appointment of a committee to inquire into the state of the Protestant church in the province of Munster. He founded his motion upon the evils which he stated to have arisen from the union of livings, and the consequent want of churches to which the Protestant people might repair. In the province in question his lordship stated, it had not been uncommon to unite five, six, or seven livings in one person; and, in many parishes, if the Protestant inhabitants wished spiritual consolation, or to have the benefit of religious worship, the nearest clergyman who could advise them,



and the nearest church in which service was performed, was probably at a great distance. Two parishes which contained, the one eight thousand acres, and the other between four and five thousand, had only one church each. In the latter, the only church to which the Protestant parishioners could resort, was a chapel which had been built by a private nobleman, for the convenience of his own family; and, in another, you might ride twenty-two miles without seeing a church at all. It was, he said, a scandalous thing that there should be such a want both of churches and clergymen in a country where Protestantism was the established religion; and his only object was, to prevent, by supplying both, the extinction of that religion throughout the province; for the Catholics, on their side, were most active and exemplary in remedying similar deficiencies.

Lord Harrowby, and the Bishop of Leighlin, answered, that all the information, which such a committee might acquire, was already contained in the voluminous mass of evidence on the subject collected last session by the Lords' committee to inquire into the state of Ireland. There could be no doubt that unions existed, frequently to an inconvenient extent. They had been made, some by the episcopacy, some by acts of Council, over which the diocesan had no control, and some existed by prescription; but in many cases the union had been a matter of imperative necessity. The number of acres in a parish formed no criterion by which the House could be guided: the important element was the extent of the population. In some cases the parishes were very extensive, and the population could not pay the expenses of the

church. There was one instance of a parish which contained four churches; and to the curates of these churches, the rector paid more than he actually derived from the whole parish. As the returns on the table of the House shewed all the unions of parishes that existed in Ireland, and the authority by which they had been made, the motion was unnecessary. The motion was withdrawn.

The want of churches, which it was the object of this motion to supply, was intimately connected with the administration of the fund formed of the first-fruits of all ecclesiastical benefices. These revenues, being the first year's income of every benefice, had been originally payable to the Pope. On the Reformation they were vested in the Crown; and the building of churches was one of the purposes to which they had been appropriated by an act of Queen Anne. Sir John Newport brought the management of this fund, and the inequalities and insufficiencies of the system according to which the contributions of the clergy to it were regulated, under the notice of the House of Commons by a series of resolutions declaratory of its nature and history, and by a motion for the appointment of a select committee to inquire into its condition and administration. The reasons by which he justified his motion were, that the first-fruits, where they were paid at all, continued to be paid upon the rate of valuation, for which there was no authority in the law, and that thus by far the greater portion of a fund which the Crown had sacrificed, and the legislature had set apart for public purposes, was allowed to remain in the pockets of the clergy, while new burdens were laid upon



parishioners to effect those very objects for which the fund had been created. It was true, he said, that the English act of Queen Anne provided, that the valuation should remain in after years as it then was, but the Irish act contained no similar provision, and the omission must be considered as having been intentional, especially as a great proportion of church land in Ireland had not at that time been valued at all. The difference, likewise, between the sums paid in the two countries, proved that it could never have been intended to apply the same rule to both. For seven years, ending in 1824, the archbishops and bishops of Ireland had contributed no more than 910*l.*; whilst England had contributed 5,419*l.* to the First-fruits' fund, and for tenths, 8,851*l.*, making a total of 14,270*l.* The see of Canterbury paid 2,680*l.*, while the see of Clogher, the value of which was, at least, 10,000*l.*, contributed only 350*l.* The operation of the tithe-composition act had proved the inequality still more completely. In the diocese of Cloyne, ninety-five livings, which were all that were valued, were estimated at 258*l.* 12*s.* Out of these ninety-five, there had been a composition of tithes in twenty-five only, and the amount of that composition was 10,580*l.* Surely it was improper to go forward any further in a system so evidently unfair. While this fund was permitted to be so unproductive, no less than 500,000*l.* or 600,000*l.* of the public money had been voted by Parliament, for the very objects to which the first-fruits were intended to be appropriated; and annual levies were raised upon the peasantry to build churches—a work which ought to be defrayed out of the proceeds of the fund. It

could not fail to appear monstrous, that 700,000 Irish acres, making nearly 1,000,000 English acres, attached to church benefices in Ireland, should yield so little towards the purposes for which they were destined.

Mr. Goulburn, and Mr. Dawson, opposed the motion, as being, in reality, a covert, and most dangerous, attack upon the property of the Irish church, and, through it, upon the property, not only of the church of England, but of all bodies in the state; and as being derived from a fallacious interpretation of the law, warranted neither by history, nor authority, nor expediency. No justification of the larger appropriation of ecclesiastical funds now proposed could be derived from the practice of the Popes, in whose usurpations the first-fruits originated; for the Pope had never presumed to ask more than half the income, and that very seldom; and even that had always been considered a grievous imposition. Neither could any assistance be derived from the statute 28th Henry 8th. That statute merely went to transfer the first-fruits to the Crown: but an act passed two years before had laid it down as a principle, that the annates were to be compounded for; and if the Pope would not take a reasonable sum, he was to be forced to do so. There was nothing in these acts to warrant the notion that it was intended to make a new valuation for the purpose of raising the rate, or imposing the necessity of frequent revaluations. There had been altogether, since the time of the Reformation, only four valuations. The first was in the reign of Henry 8th, and then only a few of the livings were valued. In the reign of James 1st, there was a second valuation, confined, however, to those livings



which had not been previously valued; and in the reigns of Charles 1st and Charles 2nd, there were subsequent valuations of those livings which had not been previously taken into account. On these latter valuations, it was distinctly enjoined that the livings should not be estimated at their extreme value, but rather by such a rule as would be equitable in reference to the preceding valuations; and it would now be hard indeed if the legislature were to decide, that those livings should be again valued, and made liable for charges for the building and repairing of churches. They could never assent to the principle that the clergy ought to build and repair their own churches, as if churches were for the benefit of the clergy alone, or join in a measure which would involve the clergy in difficulties and distress at the very entrance of their benefices, and keep them paupers ever after. —The motion was rejected by a majority of 48 to 21.

Sir John Newport was more successful in endeavouring to institute an inquiry into the abuses which were alleged to exist in the administration of the parochial rates levied in Ireland for the religious service of the protestant establishment. In the preceding session he had introduced a bill for the remedying of these abuses, and the bill had passed the Commons; but, in the House of Lords it had been deprived, he said, of its most remedial clause, which gave any parishioner, who might feel aggrieved by the amount, the inequality, or the application of the rate, an easy and expeditious mode of relief, by appealing to the next quarter sessions. The measures proposed by that bill he now embodied in a series of resolutions

which stated the evils complained of, and pledged the House to adopt measures for their removal. It should never, he said, be forgotten that the great majority of the persons who paid such rates were Catholics, and that, being so, they could not legally interfere in the management of them. The money raised by them was not only squandered on purposes not warranted by law, but salaries were created and augmented in direct violation of positive enactments. The law provided that the salary of the parish-clerk should not exceed 10*l.*; yet in two-thirds of all the parishes of Ireland, it was double, and triple that amount; and, in one instance, 430*l.* had been levied to build a house for that officer and the sexton. Such charges as these were generally followed up by others equally extravagant for organs, and a host of organists and attendants on organists, all for the protestant church, and all paid, in a great measure, by the Catholic peasantry. In Dublin, a vestry had voted to the parish curate a piece of plate worth 100 guineas, and directed that a levy of that sum should be made. Why call on the Catholic parishioners to pay 100 guineas to purchase a piece of plate for the Protestant curate? In the same parish there were such charges as the following:—the salary of the parish-clerk, 50 guineas—the vestry-clerk, 50 guineas; and the salary of the organist had, in ten years, amounted to 840*l.* The bellows-blower was paid from 10 to 15 guineas a-year; then came the sextons, sextonesses, maid servants, and a crowd of similar claimants, with salaries of 50 guineas a-year. In a parish in Cork an ingenious mode of increasing the salary of the clerk had



been adopted; for he received an additional salary for singing anthems—he was paid 20 guineas for teaching the boys to sing, and 20 for instructing the girls, so that the whole amount came, in some years, to 120, and in others, to 143 guineas. A still more extraordinary theory was, that, in some parishes, in which bible societies had been established, the Catholics were subjected to a parochial rate for their support—for the support and prosperity of associations confessedly directed against the interests of their own religion.

On the part of government it was admitted that there were many things connected with the levying and administration of these parochial rates which called for revision; and the motion was resisted, not so much because it was unfounded or inexpedient, as because it was unnecessary, government being about to introduce immediately, along with other measures founded on the report of the committee of last session, a bill to remedy and diminish the evils complained of. If the provisions of that bill should be reckoned in any respect defective, it would be open to the mover of the present resolutions, to propose any amendments which he might deem better suited to effect his purpose. Mr. Goulburn therefore, requested sir John Newport to withdraw his motion, and allow leave to be given to bring in the bill to which he had referred; but the latter having expressed his determination, without any wish or intention to embarrass the proceedings of ministers in the measures which they contemplated, to persevere in his resolutions, that “they might appear on the Journals, and act as a spur to the intentions of his majesty’s government on the

subject,” Mr. Goulburn moved an amendment, to the effect that “leave be given to bring in a bill to consolidate and amend the laws for regulating the levying and application of church-rates in Ireland.” On a division, the original motion was carried. Mr. Goulburn’s bill was subsequently brought in, and passed.

In the discussion upon this motion, Mr. Goulburn stated to the House, that the act of last session, to facilitate the commutation of tithes, had come into general operation, and had already more than justified the most sanguine hopes of those with whom it had originated. Last session the number of parishes in which a composition had taken place, was two-hundred and fifty-nine: a short time ago, the number was six-hundred and seventy-six, which was nearly one-fourth of the total number of parishes in Ireland. From this it would be seen, to how great an extent it had already proceeded; nor were its benefits confined to the particular parishes which had compounded, as it was found that the neighbouring ones partook, in some degree, of the advantages immediately attending its adoption. In fact, its influence was felt throughout the entire country. In the county of Cork, the number of cases at the quarter sessions had diminished one-half since the tithe composition act had come into operation.

The measures, which had been originated or encouraged by government in Ireland, for promoting the education and moral improvement of the great mass of the people, were brought under consideration in the course of voting the Irish miscellaneous estimates (20th March.) On the motion for



going into a committee on these estimates, Mr. Spring Rice opposed the Speaker's leaving the chair, directing his resistance against the sums which it was proposed to vote to the Association for the Prevention of Vice, and to what was known by the name of the Kildare-place Society. To the first he objected as an improper application of public money ; were its objects within the province of the church, and by the church its funds ought to be supplied. Of the 12,500*l.* to be voted, not less than 2,500*l.* were for catechetical premiums in Dublin alone, while catechetical duties formed a part of the duty of the clergy. The schools, likewise, of this association were at once too limited in number, and too protestant in principle, to effect any extensive good. To the vote, again, of 100,050*l.* for the Kildare-place Society he objected ; first, because that association asserted that it could extend the benefits of education to one hundred thousand children, whereas the number actually educated was only fifty-two thousand, four hundred and four, — Secondly, because the schools of the association were not equally open to Protestants and to Catholics ; for, out of the fifty-two thousand, four hundred and four, only, one half were Catholics. Thirdly, because the teachers were Protestants, and the church catechism was taught. The compulsory reading of the Scriptures was the great objection Catholics had to entering these schools ; and it was the duty of the state to take care that all classes of the community should be educated without any compulsory conditions of this kind. With equal fairness, a Catholic might be required to sign, as the *sine quâ non* of admission, the declaration against

transubstantiation. He moved the following resolution “ That this House concurs in the opinion expressed unanimously by the commissioners of education, and assented to by the archbishop of Armagh, and archbishop of Cashel, that no general plan of education in Ireland, however wisely and explicitly arranged in other respects, can be carried into execution, unless it be avowed and clearly understood as a leading principle, that no attempt will be made to interfere with any peculiar tenets or distinct religion.”

The motion was supported by Mr. Fitzgerald, who thought that the associations in question could never do good, because they were governed by rules which necessarily made the Catholics of Ireland their opponents ; and that no real benefit could be expected until the superintendence of education, as a matter of public concern, was vested in a responsible and impartial public board. To prevent the schools of Ireland from continuing to be each merely an arena, on which the Protestant and Catholic clergymen were contending for scholars, it was essential not to interfere with the religious instruction of the children. The use of the Bible without notes, and of the church catechism, would disappoint all attempts to educate Catholics by means of societies ; for any plan of education which did not conciliate the Catholics, and obtain the co-operation of their priests, must necessarily fail. Why introduce such a bone of contention ? for all candid persons must admit that the Bible was not necessary for the purposes of school education. It was not used as a school-book in those seminaries where the members of that House were educated ; it was not put, as a book of in-



struction, into the hands of the boys at Eton, Westminster, or Harrow; nor was it used for such a purpose even in the under-graduate course at Cambridge or Oxford. The House ought to establish a general system of education, excluding religious instruction from the schools, and allow the people to read the Bible of their own accord. If the lower classes were permitted to follow their own inclinations, instead of having the Scriptures forced upon them, they would provide themselves with Bibles; and even the command not to look into them, would cease to have any effect. Mr. Fitzgerald, however, gave a description of the state of education in Ireland, the principal features of which seemed to be equally novel and picturesque, and constituted what Mr. Peel very justly denominated a picture of over-education, and what he hoped parliament would have too much good sense either to sanction or encourage. "So far," said Mr. Fitzgerald, "from the peasantry of Ireland being in the state of ignorance which is attributed to them, I am convinced that in any district they will be found better educated than the inhabitants of any corresponding proportion of the empire. Perhaps I should except Scotland, where the people are all well instructed; but my assertion is unquestionably true, as far as regards England. At all events, I can answer for my own constituents, and am ready to set them against the peasantry of any part of England of the same dimensions as the county which I have the honour to represent. The very poorest class of persons in that county can not only read and write, but are well versed in the higher attainments, in Arithmetic, Al-

gebra, Greek, and Latin. I do not mean to challenge the members of this House, although I feel that, with the exception of the learned professions, and, perhaps, some coteries of blue-stocking ladies, the poor peasantry of the county Kerry are more learned than the majority of those who compose even the higher circles about London. It is not an unusual thing to see a poor, bare-legged boy, running about with a Homer, a Cicero, or a Horace, under his arm."

By those who opposed the motion, it was admitted, that any attempt to make proselytism a part of a system of education, must occasion its failure; and that it was most desirable, if not imperative, to avoid intermeddling with the religious instruction of the Catholics in any way which might wound their feelings, or be inconsistent with their faith. There seemed to be nothing objectionable in the principle of the proposition of Dr. Murray, that the children of Catholics and Protestants should be educated together; that they should learn in common, but receive their religious instruction respectively from their own pastors. Still, however, the societies in question had done much good; they were rapidly gaining ground in the estimation not only of the more wealthy and intelligent classes of the community, but likewise amongst those whose opinions were, if possible, of more importance—those for the education of whose children the societies existed: and, if parliament would only compare the state of education in Ireland before their formation, with the progress which had since been made, and the amelioration which their exertions had effected, it would hesitate to condemn them,



while there was nothing more efficient to substitute in their place. Mr. Peel said, the question put was, whether, in untried anticipations of exaggerated success, the House would put aside existing institutions, which, though imperfect, were admitted to be doing good, and certainly more good than could be accomplished if they were put down before other and better ones were matured. The formation of a local board for the superintendence of an object like that in question, was attended, in the case of Ireland, with greater difficulties than was imagined. He himself, when officially connected with Ireland, had prepared a bill for the purpose of selecting six or seven persons to superintend education in that country; and not until after various deliberations, not only with persons of his own party, but with those who were politically opposed to him, had he relinquished his intention of bringing that measure forward. They all dreaded the consequence of establishing a public government board; they thought the people would take alarm when they found that government had constituted such a board, and that it would be regarded as intended to effect other purposes than were avowed. Being thus compelled to give up that measure, he looked around for other means of carrying into effect the object which he had in view; and he found a private society already in existence, consisting of all sects, Protestants, Presbyterians, and Catholics. To that society the management of the funds granted by parliament had then been intrusted. He protested therefore, against the hasty extinction of a society, which, if it effected no

other good, at all events disseminated throughout Ireland a great number of valuable books; publications, too, which, except in one instance, were never objected to by those who were most opposed to them in religious feeling. The abolition of an institution which afforded instruction to fifty thousand children, twenty-five thousand of whom were of the Catholic persuasion, must be regarded as a positive and serious loss to the country. It appeared from returns then on the table of the House, that, of approved books, there were distributed by the Kildare Association, in 1818, fifty thousand; in 1820, one hundred and twenty-three thousand; in 1821, one hundred and fifty-three thousand; in 1822, one hundred and eighty-five thousand; in 1823, one hundred and six thousand; in 1824, one hundred and twenty-one thousand; and, during the last year, one hundred and seventy-two thousand eight hundred and sixteen. Another strong proof of the utility of the institution was, that the commissioners, on examining the "Model School," found in it four hundred boys, of whom one hundred and fifty were of the established religion, two hundred and twenty-five Catholics, and the rest Dissenters; while of girls there were, seventy-nine Protestants, and no fewer than two hundred and nine Catholics. This simple fact showed clearly that the institution was not acting on principles of exclusion. It should moreover be remembered that these children were to be the future teachers throughout all the schools of the society. The effect of passing the resolutions would be, to cast a stigma on the Kildare-street



society ; and, therefore, if they were pressed to a division, he must negative them, a step which he should most unwillingly take ; because, in the general principle on which they were founded, he perfectly concurred. With respect to the expediency of making religious instruction a part of public education, he hoped that we should never see a system of public education, either in Ireland or elsewhere, that was not founded on the Christian religion, or a race of young philosophers who had derived their knowledge of moral duties from any other source.

Mr. Rice withdrew his motion ; but a division was pressed on the motion for granting 19,500*l.* for the Protestant chartered schools. Mr. Hume resisted the motion, because it was an expenditure of a certain quantity of pounds, shillings, and pence, for a purpose which he would not allow to be either useful or charitable ; and by other members, on the ground of the abuses and oppressions in the management of these schools detailed in the report of the preceding year. They opposed any vote of money, until steps should have been taken to prevent the recurrence of such abuses, and to punish the masters against whom such charges of misconduct had been brought. At all events, they argued, as those who had the superintendence of the schools, and into the hands of whom this money was to come, had shown themselves, by allowing those abuses to grow up, and those oppressions to be practised, either utterly unable, or utterly unwilling, to perform their duty, it would be unjustifiable to put the money again under their control. Sir John Newport accordingly moved an amendment, which went to place

the money at the disposal of the lord lieutenant. It was opposed by Mr. Goulbourn, because it was unjust to make the managers of a concern responsible for evils which they could not detect, or to condemn unheard the committee of fifteen, who had used every possible diligence ; and it was negatived by a majority of 42 to 19.

In these discussions, which had all some reference to religion, government evidently manifested no desire to conceal or perpetuate abuses, or any disinclination to cautious and practicable amendment ; and it carried the same spirit into other departments more strictly connected with the civil administration of Ireland. A committee on the state of that country had presented a report in 1825, recommending the adoption of various measures. Several of these recommendations were, during this session, carried into effect, while others, such as the improvement of the system of grand juries, and the abolition of votes created fictitiously upon forty-shilling freeholds, presented difficulties which could be overcome, and opposing interests which could be reconciled, only by proceeding with much deliberation. An act was passed consolidating the laws for the regulation and management of prisons, placing them under inspectors rewarded by salaries, which seemed sufficient to insure officers of character and responsibility, and introducing an uniform system of prison discipline. Better regulations were laid down for the administration of justice in towns corporate, and other local jurisdictions ; and provision was made to remedy the inequalities of local assessments, by introducing an uniform valuation of baronies, parishes,



and other divisions of counties. Another act made provision for a more convenient and abundant distribution of lunatic asylums throughout the island; but the most important measure of the session affecting Ireland was, the "act to amend the law of Ireland respecting the assignment and sub-letting of lands and tenements,"\* by which some check was put to that infinite division, not of property, but of the use of property, which has tended so strongly to impoverish and degrade the rural population of Ireland. The intention of the statute was, to prevent the sub-letting of property by a lessee, whether the original lease contained a covenant against sub-letting, or was silent on the point, and, in both cases, to render the express consent of the landlord indispensable to the validity of the lease. It enacts, that in cases where the original lease contains covenants prohibiting, controlling, or regulating, the assignment or sub-letting of the lands, nothing whatever which may be done by the lessor shall be held, or construed to be, on his part, a waiver of any of the benefits of these covenants. To render the assignment or sub-lease effectual to the sub-tenant, the consent of the proprietor and his dispensing with the covenants in his favour, must not only be express, but must be expressed in a particular form. If the sub-lease be by a written instrument, his consent must be expressed by his signing and sealing that instrument, along with the principal parties to it; if it be verbal, his consent must be expressed by a writing under his own hand. The forms not

being complied with, not only may the proprietor re-enter into possession, but the lessee has no action to recover either rent or possession from his sub-tenant, whatever may be the covenants of the sub-lease. The same general provisions are applied, even when the original lease contains no covenant "prohibiting, controlling, or regulating," the assigning or sub-letting of the lands. Unless the lease contain an express clause authorizing the tenant to assign, or sub-let, the sub-lease, to be valid, must be signed or indorsed by the proprietor, or, if it be verbal, must be confirmed by his written authority: all constructive or parole waivers are excluded. If the sub-lease be granted according to the provisions of the act, the receipt of the lessee for the rent is declared good against the proprietor, and all deriving right from him by any title posterior to his consent to the sublease; and if the lessee fall in arrear for two ———s of the rent, the receipt of the proprietor is, against him, a good discharge to the sub-lessee.

Another provision of this act secured farms against discretionary sub-division at the will of a tenant upon his death. If the lease bears date prior to 1st June, 1826, and contains no prohibition against assigning or sub-letting, or if it bears date subsequent to 1st June, 1826, and contains an express authority to sub-let, in either of these two cases the tenant may devise the lands, under his lease, to what number of persons he may choose. But, with these exceptions, he is deprived of the power of so devising the lands by his last will and testament, as to sub-divide them among several persons. The distribution of property which the

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\* 7 Geo. 4. c. 29.



law makes in case of intestacy remains unaltered; and the landlord, at least in new leases, by giving no express authority in the lease to sub-let, can thus always secure himself against a testamentary distribution of his lands among a number of sons, or other relations, who, each following the same plan in regard to his own family, so long as the term of years is to run, or renewals can be obtained, at last cover the estate with a race of paupers.

Among the recommendations of the select committee of 1825 was one to apply some remedy to the evils produced in Ireland by levying certain tolls and customs upon fairs and markets in Ireland, which had been granted to particular individuals and corporations; and, on February 16, Mr. Spring Rice moved an Address to his Majesty, praying him to order a commission to issue to inquire into "the tolls and customs collected in fairs, markets, and sea-ports, in Ireland." The motion was opposed both on the general merits of the measure, and on the inefficacy of the particular mode of inquiry proposed. Mr. Goulburn said, he had no doubt that abuses, such as it was the object of this motion to reform, did exist; and did not mean to deny that they ought to be speedily remedied, if a practicable remedy could be discovered. The levying of tolls in a fair or market, to any extent, was undoubtedly a restraint laid upon the trade which might there be carried on; but the motion could not stand upon this principle; for that objection would be equally applicable to every part of the United Kingdom as to Ireland, there being scarcely an ancient fair in existence in which tolls of this kind were not payable; and the trades-people who frequented

Covent-garden market had as much right to come to parliament, as the old clothesmen who paid 2*d.* upon the sale of a wig, or 6*d.* upon the sale of a pair of breeches, at the fair of Skibbereen. So far, therefore, as these tolls had been legally imposed, and were legally exacted, there was no reason for viewing Ireland in a different light from any other part of the country. If, again, illegal extortions were practised by those having right to tolls, on the one hand, or if the collecting of legitimate tolls were illegally resisted by those who were bound to pay them, on the other, and if scenes of tumult and violence and bad humour were thus occasionally produced, all this furnished no reason for the interference of parliament, unless it could be shown that the existing law, duly resorted to, was insufficient to compel both parties to keep within the boundaries of their respective rights. The existing act of parliament on this subject provided the party complainant with a remedy, in the shape of an appeal to a sitting magistrate. To secure expedition in granting redress, and impartiality in deciding, this act, in the first place, imposed a heavy fine upon any magistrate declining summarily to interfere upon due cause shewn; and, in the next place, provided, that the cause might be removed out of the jurisdiction of any corporate body interested in the levy of such tolls and customs. If the Irish gentlemen resident in such parts of Ireland as happened to be in the neighbourhood of any place where illegal extortions took place, would lend their assistance to those who were the victims of such extortion and to those whose legal rights were violently resisted, by pointing out, in either case, the



proper steps to be taken for obtaining legitimate redress, one or two examples would suffice to prove to all parties concerned, the illegality of the courses pursued by them; and the law, as it at present stood, being strong enough to punish any such illegal practices, would soon prevent the levy of tolls which were either illegal or improper. It was of importance that the people of Ireland should be encouraged in a disposition to act under the sanction of the law, rather than to resort to any extraordinary modes of obtaining redress; and nothing could be more easy than to prove to them that the legal tribunals were open to the consideration of even their slightest interests, and entirely disposed to afford them redress for every injury of which they justly complained. Again, as these tolls were perfectly legal rights, and recognized as such, they could not be taken away without compensation being made to the parties, who should, by compulsion, be deprived of them. Their yearly value might amount in Ireland to about 500,000*l.*; and it could not be expected that their proprietors would sell them under twenty years purchase: but to burthen the country with such an annuity for so unnecessary an object, would be most improvident in any state of the Exchequer.

In regard to the particular mode of inquiry proposed, it was asked, would the commission moved for produce any more information (it called for a statement of "the tolls and customs collected in fairs, markets, and sea-ports in Ireland") than the House already possessed in the returns and tables of these matters already made out in most of such towns and places in Ireland, and supported by the authority of the

clerk of the peace of the district. Besides, how could a commission adequately accomplish the objects of the motion? If any one commissioner were to live to the age of Nestor himself, he could scarcely inspect and report upon more than two thousand patents for levying tolls and customs that existed in Ireland, and extended to a great variety of articles, few of them to less than fifty or sixty articles, and many of them to still more. What commissioner would undertake the Herculean labour that the terms of this proposition would impose upon him? If the hon. mover, said Mr. Plunket, will point out the abuses, I shall take upon myself the labour of remedying them, for there are no cases which the law is not already sufficient to meet; but an inquiry like that proposed would never terminate. There were in Ireland two thousand and sixteen franchises, and each of these franchises had from fifteen to twenty different tolls; so that there would be about forty thousand rights of toll to investigate, besides the many minor points which sprang out of them.

Sir John Newport, Mr. Fitzgerald, and Mr. Martin, in supporting the motion, rested chiefly upon the hardship and the hopelessness of the peasantry being driven to defend themselves by a lawsuit against a corporate body, or an opulent individual, and urged the necessity, if the commission should be refused, of furnishing to the poor man a more speedy, cheap, and effectual, remedy than the law at present afforded. The motion was withdrawn, on an understanding that the matter should be sent for inquiry to a committee, the private rights of parties re-



maining untouched. Accordingly, on the 21st February, a select committee was appointed to take into consideration the returns of tolls and customs at sea-ports, fairs, and markets in Ireland, and to in-

quire how far the existing laws on the subject were capable of being consolidated and amended, and a remedy afforded for the grievances at present complained of.



## CHAP. VI.

COLONIES.—*Slave Trade*—*Motion regarding the Trials of Slaves in Jamaica*—*Resolutions of the Commons on the Slave Trade adopted by the Lords*—*Motion by Lord Suffield to disqualify Proprietors of Slaves from being public Functionaries*—*Motion to the same effect made in the Commons by Mr. Smith*—*Petitions from the Council and House of Assembly of Antigua, and the West-India Merchants*—*Mr. Brougham's Motion on the Conduct of the Colonies*—INDIA.—*Jury Bill*—*Education of Writers*—*Petition of Mr. Buckingham complaining of the Indian Government referred to a Committee*—CANADA.—*Naturalization Act*.—FOREIGN RELATIONS.—*The Alien Act*.—PROROGATION AND DISSOLUTION OF PARLIAMENT.

THE foreign dependencies of the empire presented little matter to occupy the attention of parliament, with the exception of the repeated discussions connected with the Slave Trade. The House of Commons, on the 15th May, 1823, had passed resolutions expressive of the expediency of adopting effectual measures to ameliorate the condition of the slave population. These resolutions had been immediately transmitted to the colonies by government, accompanied by an urgent exhortation to cause them to be executed, feeling it to be desirable that the colonial assemblies and governments should themselves be the parties to carry them into effect. Disappointed in this hope, government had, in 1824, embodied in an order in council those measures which seemed most immediately necessary for the amelioration of the condition of the negroes; and had sent that order both to the colonies in which, from the absence of local legislatures, the crown had power to command, and also to the other colonies, with

a strong recommendation to their legislatures to adopt its principles. Nearly three years had now elapsed since the sense of parliament, and the wishes of government, had been officially notified to the colonial legislatures; and the supporters of emancipation maintained, that their hopes had been deceived; for that, during those three years, the planters had taken no measures for the improvement of the slave system, but had given a decisive confirmation of what their opponents had always asserted—of the vanity of looking for any thing like amelioration from the very persons who were interested, or thought they were interested, in the continuance of every evil which existed. Now, therefore, they said, that the order of government had been trifled with, and the voice of the House of Commons had been contemned, it was time for the authorities at home to interfere; and nothing remained but to introduce into the islands by compulsion, a sense of justice and humanity, which neither good feeling nor common prudence had



yet been able to teach the colonists. In conformity with these views, petitions were gotten up in incredible numbers; seldom had the tables of both Houses been covered at one time with so many applications on the same subject. Their general tenor was agreeable to that of the common council of London, which expressed abhorrence at the continuance of the traffic, and regret that its abolition, notwithstanding the declared opinion of parliament, should have experienced resistance in another quarter; and declared the willingness of the petitioners to join in bearing any burthen which might be rendered necessary by indemnifying the slave-proprietors for the losses which they might sustain. At the same time, the meetings which were encouraged, and the publications which were issued, by the Anti-slavery Society and its agents, sought to excite public feeling by details of individual acts of injustice and oppression, not always accompanied with every thing necessary to their proper understanding, and often leading to dangerous generalization, and crude and indefinite propositions. Mr. Hume mentioned, in the House of Commons (1st March), as an instance of the unfair means adopted by the friends of abolition to excite popular prejudice, and obscure the actual state of the question, that a print had been sent to him (and he doubted not to many other members) representing the impalement of a female slave which had taken place in the year 1782.

In the end of 1823, and the earlier part of 1824, a plan for an insurrection among the slaves on certain plantations in Jamaica had been discovered, and eight negroes

had been executed, having been convicted upon trial of being concerned in the conspiracy. The papers connected with these trials had been laid on the table of the House during the session of 1825, but no motion had hitherto been founded upon them. Mr. Denman now brought the legality and justice of these proceedings under discussion, by moving a resolution to the effect, that the House, having taken into consideration the trials which took place at Jamaica for rebellion, conspiracy, and other offences, in the years 1823 and 1824, deem it their duty to express their sorrow and regret at the violation of law which took place upon the said trials; that they deeply lament the precipitate manner in which the sentence of death was passed and executed; and recommend some alteration in the mode of administering the code of criminal justice, affecting the slaves in the said colony.

The motion was prefaced by a speech analysing the evidence upon which the accused had been convicted, demonstrating its contradictions, its insufficiency, its absurdity, and arriving at the conclusion that such atrocities, perpetrated under the mask of justice, and the law of evidence which permitted them, required the abolition of a system which placed a negro for trial before interested masters for his judges and jury, and, in giving him an appeal to the council, merely gave him an appeal to another body of masters equally prejudiced. The first trials took place in the parish of St. Mary's; and, it appeared, said Mr. Denman, from the papers, that on the 16th of December, 1823, a person of the name of Roberts, who resided in Kingston,



where he carried on the trade of a butcher, had occasion to rebuke his boy Ned, for something that did not please him about the boy's dress; and also for being dirty. Out of the conversation which ensued at that time between the butcher and his boy, the whole proceedings had arisen; and on no other evidence than that conversation, eight individuals had, within four days, namely, on the 20th of December, been condemned to be hanged; and the sentence within four days more, namely, on the 24th of December, had been carried into execution. The conversation between Roberts and the boy was this: the master asked him, in an angry tone, "Why he did not get his crops taken off, in order that he might be in a proper state to follow him at Christmas?" The boy answered, "Ah! Massa, you will have bad Christmas." Mr. Roberts then said, "For what? are the negroes going to rise?" The boy replied, "Yes, his father had told him so." Mr. Roberts then questioned him as to whether he had seen the negroes meeting. He answered that he had, two times. Mr. Roberts asked him, "If they meant to kill all the buckras?" William (the boy's name) replied, that they did, for his father had told him so. His master then asked him what he should do; and the boy told him that he and captain Barton had better go on board ship; for it was the only place in which they would be safe, as the negroes were going to rise, and walk all about and murder every body. He (Mr. Denman) begged the House to observe, that the boy had been almost furnished with the answers by the master, from the manner in which the

questions had been put to him; as it was impossible that the boy, having first, perhaps, from the fear of punishment, told a falsehood, should answer otherwise than he did to the questions which had followed his remark about the bad Christmas. The boy was taken before a magistrate, and repeated his story, with some childish additions; upon which the six negroes, whom he had implicated as having been mentioned by his father, were apprehended. Both these steps were proper and judicious; but it surely was not to be justified that they should be thrown into prison upon such evidence, without having undergone any examination. They ought to have been examined separately, by which the truth or falsehood of the boy's statement would have been clearly proved; at all events, by such a mode of proceeding, the plot, if any had existed, would have been detected. Instead of that, on the 16th of December, they were committed to jail, and, on the 19th they were brought to trial, when only one other person who pretended to know any thing about the meetings was examined. The boy had stated that two negroes, of the names of Ned and Douglas, were there. Of these two, only Ned was called. He stated, "that he had been present at a meeting, ten days ago, at Bridge-house Estate; there were five other negroes with him; they said they would prepare themselves for Christmas; they were all going to meet at, and set fire to, Frontier Trash-house first, and, when the buckras came out, would kill them; they would then come on Port Maica Bay, and raise a mob, and when the gentlemen came out, they would rise on



them, and kill them, and then they would be free." What man of common sense could believe, that such a meeting could have taken place in an open street, and that the conspirators would talk publicly of murder and arson, under the certainty of being heard by every person who might happen to pass? To every reflecting mind, it must appear to be nothing more than the idle and improbable story of two young boys; and yet, on such a story, six individuals had lost their lives. Douglas, the other negro mentioned by the boy, had not been used as a witness by the accusers at all, undoubtedly, because they had found that his evidence would not serve to convict; and, throughout the whole of these proceedings, neither William nor Ned, the only witnesses, were put upon oath, although so many lives depended on their testimony. Charles Brown, the first of the accused slaves, had, it seemed, been formerly an overseer on Frontier Estate, where he had been guilty of partial and cruel conduct, such as was very likely to render him the object of a conspiracy. Against the next, Charles Watson, there was not the slightest evidence of guilt, but, on the contrary, there were contradictions in the testimony, which ought to have ensured an acquittal; and the only circumstance of identity against Cosley, one of the prisoners, was, that he had the same clothes on at the meeting as he wore on his trial. The last and most afflicting case was that of the boy's own father, James Stirling. The witness Ned, said that he knew the prisoner, whose former name was Joe, and that he saw him at the bridge with five others, and heard

them say that they were going to rise at Christmas. The boy William was next called as evidence against his own father; and, being admonished to speak the truth, said, that he went to his father, the prisoner's, house, who told him that the negroes were going to rise, and that he must take care of himself, and keep out of the way. He said that he did not see his father among the negroes, and in that respect his testimony was at variance with Ned's. Another person was then called, who gave some evidence about a gun, which did not bear at all upon the question; and upon this evidence, unsifted, unsupported, and without any corroborating evidence, this old man was sent to the gibbet. The next case was one of so absurd a nature as scarcely to justify its being noticed, although it had been held sufficient to justify punishment. It was one in which the principal conspirator was half an idiot, who used to walk about the town and talk of king Wilberforce, for which he underwent imprisonment for three months. Such punishments were neither more nor less than a premium for perjury, as those who came forward to make such charges were frequently rewarded with manumission, or with money. Another case was that of the trial at St. George's, where there was a witness named Corberand, who had invented more plots than his prototype Titus Oates, and then, to prevent investigation, had procured the removal of his confederates from the island, to which the House of Assembly consented, instead of prosecuting them for perjury. On the last trial, the most direct perjury had been committed. Two persons had intro-



duced the name of M. Lessein, as having been present on two occasions, on both of which he proved a clear alibi, having been, on one of them, out of the island, and, on the other, in prison. Throughout the whole of the depositions, if depositions they might be called, there were repeated and barefaced contradictions; and they were the contradictory affirmations only of slaves, who, the House had often been told, were incapable of understanding an oath, or feeling its obligation. What opinion was to be formed of the courts of justice in Jamaica, where slaves were condemned upon the evidence of slaves alone, who were not even examined upon oath, and whose consciences were crippled by the same fear as their bodies? for, if when called as witnesses, they gave evidence unpalatable to their masters, they knew well that they would only leave the court-house for the work-house. He proposed the above resolution, that the Commons of England might have an opportunity of raising their voice against acts of such crying injustice and barbarity.

Although in the views thus taken by Mr. Denman of these proceedings of the colonial tribunals and authorities, too much influence might be allowed to the habits of thinking and feeling produced by the cautious and unimpassioned administration of justice, still enough had been disclosed to excite the gravest doubts, whether, in these trials, very great injustice had not been committed, and whether the whole proceedings, besides being founded on incredible testimony, had not been hurried on, from accusation to execution, with a degree of interested precipitancy which only the alarms of the plant-

ers could have occasioned — and that very state of alarm, in which they might have found themselves, only rendered mistakes and irregularities more probable. Yet, if the proceedings, however much to be regretted in themselves, were really carried on according to the forms of the existing laws of the island, which the colonial tribunals were bound to administer, it seemed difficult to discover a good reason for supporting a resolution which censured them for having followed their only legal guide, and accused them of having perverted and violated that law. Accordingly, Mr. Wilmot Horton, in opposing the motion, did not take his ground on any justification of every part of these trials, considered merely in themselves, but maintained that the courts had only applied the law which they were bound to apply; that they had applied it according to the forms required by that law, and in circumstances which fairly called for the interference of the legal authorities. There could, he said, be no doubt, that at the time when the insurrections which occasioned these trials were to have broken out, the public authorities were convinced that rebellious designs existed among the negroes in the northern districts of the island, inflamed by the idea that the intentions of government in their favour were frustrated by the masters being unwilling to obey instructions which had been sent out. The proof that such was the impression on the mind of the duke of Manchester, the governor, was to be found in his demands for additional troops, and the preparations made to meet the danger with which circumstances induced him to believe the island was threatened. In the proceedings at



St. Mary's there was nothing contrary to the law under which alone the court acted. However desirable an alteration in that law might be, and however much the state of things, which for a moment, could render it necessary, was to be lamented, still, if the proceedings which had taken place, were conformable to it, could the House now censure those who, having no other rule to guide them in their legal decisions, felt themselves under the necessity of acting upon its provisions? He did not stand up as the advocate of that law; he did not mean to defend the justice or wisdom of it; but, if it existed when those trials took place, the conduct of the court could not justly or fairly be attacked, however deserving the law itself might be of reprobation. The forty-sixth section of the existing statute provided, that if slaves should be convicted of rebellion, murder, robbery, or of compassing or imagining the death of white persons, they should suffer death. It further provided, that if slaves should be found in possession of fire-arms, swords, cutlasses, slugs, balls, &c. without the knowledge of their masters, they were to suffer death. Now, it was proved by a female witness that she saw a slave with a gun and bayonet in his possession, and also some powder and ball; and the powder and ball were found by the officer who searched for them, in the place where she had said they were concealed, in a basket. Here was an act, which, by the law, subjected the person so offending to the punishment of death. If censure was to be laid any where, it was surely the law they had to blame, and not the persons whose business it was to administer it. The effect to be

given to the evidence adduced was a question entirely for the jury. The discrepancies or contradictions of the witnesses were not of such a kind as to destroy their credibility; and, at all events, the jury had believed them. In all the instances in question, rebellious proceedings had taken place; whatever the state of the law might be, it had been strictly followed; and the punishment inflicted had been pursuant to its enactments. He would, therefore, move the following amendment:—That the House sees, in the proceedings brought under their consideration, a further proof of the evils attendant upon slavery, and derives from them an increased conviction of the propriety of resorting to the measures recommended by government in the order of council; but does not deem it necessary, however desirable a change of the law may be, to impeach the sentences passed according to law, by a competent tribunal, and convicted by a jury sworn to give a verdict according to the evidence.

The Attorney General and Solicitor General, in supporting this amendment, frankly joined in admitting the vices of the system of law under which the proceedings in question had taken place; but could not concur in stigmatizing West-Indian jurors, because they had not done their duty so well as, perhaps, an English jury would have performed it, or imputing the highest delinquency to the judicial and executive departments of Jamaica, not for having violated, but for having observed the law. It was impossible, said the Attorney-general, to look at the case, arising, as it did, out of the vice of the system, without wishing for a change. If the white man, upon his



trial, had an opportunity afforded him of knowing the charge, and thereby preparing his defence, why should not the black slave have the same advantage? An act of the legislature had lately passed, to compel the charge to be delivered in writing. This act was brought into the colonial legislature of Jamaica, but it was accompanied by a proviso, that no objection should ever be made on a point of form. Now men were too apt to confound substance and form, to be permitted this latitude. An instance of this was supplied in the present case. The prisoners were accused of being guilty of a rebellious conspiracy, and "other charges." Thus, the prosecutor could adduce whatever evidence he chose, under a charge so very broad.—Here was a conspiracy charged, but with whom? No individuals were mentioned.—Any overt act mentioned? None.—Time? No time specified.—Place? No circumstance or place! When the Slave Evidence bill was introduced into the colonial assembly of Jamaica, it was rejected on the ground that the slave was too low in the scale of moral beings—that he had no character, no distinct notion of morality, no notion of religion, or of the distinction between truth and falsehood. But when the slave was to be tried, other slaves were admitted as witnesses, and that, too, on their bare word, and an exhortation from the judge not to speak falsely. It was a known rule in this country—and the common law of England was in force in the West Indies—that hearsay evidence should not be received. Yet the whole course of these proceedings showed manifold departures from this important rule; for, while it was an acknowledged

law in regard to the whites, it had no application in regard to the blacks. Such was the law, and so long, said the Solicitor-general, as the law remained in its present form, he was unable to discover on what principle those members would proceed, who were for holding the government of Jamaica responsible because it had acted in conformity with the existing law of that island. Very wise men had entertained very grave doubts of the justice of that rule of our own law which rejected the testimony of a Quaker in criminal cases, because he would not take an oath. But, although a Quaker might thus be unable to convict the man who had maimed, or robbed him, who would ever think of venting his indignation against the judge who tried, or the jury who acquitted, the culprit? To alter the law was one thing, to which there could be no objection, but to pass a vote of censure for the observance of an existing law was a very different thing. The House ought to separate the defects of the law from the alleged delinquency of the parties, and reject a motion which went, not to denounce the system of slavery, or to censure the law, but to condemn individuals who had no power to alter the one, or to abolish the other.

Mr. Brougham said that, without admitting that the law had not been violated, he did not care though the words "perversion of law" were left out of the resolution, so long as it admitted that general justice had been most grossly violated, and the common rights of humanity assailed. However, he had little doubt, that the law, bad as it was, had not been observed, at least in some of



these trials. The charges in St. Mary's were differently stated from those in St. George's and Hanover parishes. In the latter, too, the prisoners were tried before a judge by twelve jurors, and on an indictment bearing some semblance to our own; and from the circumstance of the trial having been differently conducted in St. Mary's, great irregularity might be presumed to have prevailed in the judicial proceedings in the latter. This opinion is strengthened by the admissions contained in the documents of colonel Cox, one of the principal parties in these trials, who, in a letter written on the 19th of December, states it to be necessary to hurry them on. His words are, "I thought it my duty to insist on the magistrates bringing the negroes that had been taken immediately to trial, and to send their trial and sentences express, as it will, in my opinion, be highly important for the safety of the parish, and probably the island, that they should be executed before the holidays." The urgency thus exhibited made despatch necessary; and therefore, without any imputation of want of charity, or disregard for the documents on the table, and indeed without meaning to attach any stigma on the character of this officer, except that of which he had shewn himself deserving, he (Mr. B.) might be permitted to believe that there existed in these trials less regularity and attention to legal forms, than was elsewhere manifested. Besides, there was one other omission in the trial at St. George's not to be found in that at Hanover; inasmuch as in the one case a solicitor and two counsel were allowed the prisoners, but that indulgence was not extended in the other. There exist-

ed yet another distinction; for in one instance, at least, there was an indictment, neither vague in its nature, nor charging the slaves with conspiring with no one knows who, to do no one knows what, but containing a specific accusation, sufficiently distinct to be understood, and found by a grand jury, or by persons exercising the functions of a grand jury. Thus put on their trial, and formally arraigned, the counsel for the negroes were allowed to superintend their defence: by these counsel objections were taken on behalf of their unfortunate clients, and, in one remarkable instance, the objections were allowed. But this was a solitary instance, and from the difference existing between the proceedings on each of these trials, coupled with the admission of colonel Cox, he concluded that some of the trials were conducted without even that attention to the proper forms which the present law, detestable as it was, required and permitted.—And thus it was, that in the space of one short tropical sun, these miserable slaves were put on trial for life or death, for an offence which no reasonable man could define; and before that sun went down, upon evidence such as no individual in possession of his faculties should receive against the lowest and meanest of human beings, though the offence and the punishment were the most trifling, these eight men were capitally convicted, and, having been condemned, died an ignominious death, to gratify the headlong impatience of alarmists who had determined on having eight executions before Christmas. Would the House of Commons look in apathy at proceedings such as these, and say nothing, from fear



of casting an imputation on the constituted judicature of Jamaica? If these circumstances of undefended injustice passed unproved, it would go out to the West-Indies that the same error, injustice, or cruelty, might be committed again and again with impunity, so long as the present abominable system of law continued; and, if the House negatived the motion, it would set the seal of its sanction on a great and crying injustice, and do more than it would be able speedily to undo towards perpetuating the existing system in our colonies.

Mr. Horton having consented to omit that part of the amendment which declared it to be unwise and inexpedient to censure the conduct of the court and jurors, the House divided, when the amendment was carried by a majority of 103 to 63.

The resolutions adopted by the House of Commons in May 1823, expressive of the expediency of ameliorating the condition of the slaves, had not been sent up to the House of Lords, nor had any similar measure been hitherto proposed in that House. They were now communicated to the Peers, and the assent of their lordships to them craved. Lord Bathurst (7th March) prefaced his motion that the House should concur in these resolutions,\* with a statement of

the steps which had already been taken, and the farther measures which it was the intention of government to adopt. The order in council, he said, for the improvement of the condition of the slave-population, which had received the sanction of their lordships in 1824, had been sent to the colonies, with a view to call the attention of their respective legislatures to the expediency of adopting such measures as might be the means of introducing into the colonies the principles of improvement in the condition of the slave-population generally, which the order contemplated with particular reference to Trinidad. The recommendations of his majesty's government on this subject were not attended with the success which its magnitude and importance demanded. Very little, indeed, had been done in conformity to the principles of that order, by any of the colonial legislatures, with the exception of Grenada, St. Vincent, and Dominica, in which two acts of considerable importance had passed the legislature. By one of those acts, in the event of any dispute with respect to the right of property in an alleged slave asserting himself to be free, the *onus probandi* was very properly thrown on the claimant; and, by the other, a slave, when tried for any offence, was placed in every respect on the footing of a white

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\* The Resolutions were as follows :—

1st. "That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave-population in his majesty's colonies.

2nd. "That through a determined and persevering, but at the same time judicious and temperate, enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave-population, such as may prepare them for a participation

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in those civil rights and privileges which are enjoyed by other classes of his majesty's subjects.

3rd. "That this House is anxious for the accomplishment of this purpose, at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property."



person. In the principal colony, Jamaica, an act had been passed, protecting the person of the slave from arrest when going to market. This, and another measure of less value, were the only propositions of that nature that were favourably received by the House of Assembly of Jamaica. Another measure had been proposed to that House—a measure important in itself, and still more important in the consequences to which it was calculated to lead—an act for admitting the evidence of slaves in courts of justice. He was sorry to say, however, that the proposition was rejected by an overwhelming majority; the gentleman by whom it had been proposed being the only individual who voted for it. In the following year a measure of the same nature had met with a less unfavourable reception. It was introduced into the House of Assembly in consequence of the recommendation of a committee, but had been rejected by a majority of twenty-three to thirteen: though among its thirteen supporters were persons of the highest character and consideration in the island. As so little had hitherto been effected in conformity with the two general objects—the present amelioration of slavery, and its gradual extinction—of the resolutions of the House of Commons, and the order in council; what was at present intended was to separate the various points into which those objects might be divided, and to classify them under distinct heads, viz. those regulations which are necessary to insure abstinence from labour, and the proper observance of the Sabbath; those regulations which may better protect the persons of slaves from violence; those regulations which may secure their property;

those regulations which may improve their moral and domestic habits; those regulations which may facilitate their admissibility to give evidence in courts of justice; and those regulations which may tend to the manumission of slaves, whether by the consent of their masters, or by appraisement under proper authority. When all these regulations should be properly classed and arranged, it was intended to send them to the various governments of the West-India Islands, with a view to their being shaped and modified in accordance to the existing laws and usages in each. They would then be brought separately under the consideration of the different legislative assemblies, that they might be enabled to give their opinion on the separate heads, to agree to them, to alter them, to amend them, to recast them, or altogether to reject them. If the last step should be, in any case, adopted; if the efforts of his majesty's government should prove wholly unsuccessful; it would then be for their lordships and the other house of parliament to apply themselves seriously to the consideration of what course it may be most expedient to adopt, for the purpose of carrying their determination into effect. The resolutions were objected to on the ground that their language, which spoke of improvement merely as being "expedient," was much too feeble for the nature of the subject, and the necessity of the occasion; that, though adopted, they would produce no practical effect; and that the three years, which had elapsed since they were voted by the House of Commons, had furnished irrefragable evidence of their futility. Lord Calthorpe, regarding slavery as equally irre-



conciliable with Christianity, and with the constitution, could not help expressing his regret that the Commons had not passed resolutions more conformable to the light in which slavery ought to be regarded, and that their lordships were not now called upon to concur in opinions better suited to their own dignity. He certainly thought the House ought to declare that some higher principle than mere expediency sanctioned measures for the gradual extinction of so monstrous an evil. By adopting these frigid resolutions, couched in a tone much below what an assembly like the House of Commons should assume, and still more unworthy of the House of Peers, parliament armed the colonial legislatures with fresh inducements to resist the measures pressed upon them, and encouraged in the planters an erroneous belief that between the government and the great body of the people there existed a decided difference of sentiment as to the propriety of ameliorating the condition of the slaves.

Lord Ellenborough said, that, amid the difficulties surrounding this great question, not seeing his own way in the business, and not hearing any body else who could direct him in it, he would not, by supporting the resolutions, involve himself in a course not yet explained; he would not, in so delicate a case, take the first step, without seeing what the second was to be. It appeared, that, if these resolutions should fail of effect, and the various bills to be proposed by government to the colonial assemblies should be rejected, then parliament would resort to other measures to effect the accomplishment of its views: but he objected to this undefined style

of blind-fold legislating; he desired to know *now*, what would be the nature of those other measures which were to be resorted to, if the colonies continued contumacious: he desired to know what would be the effect of this first step, which must involve all the others, before implicating himself in the consequences which might ensue from adopting these resolutions. To him it appeared absurd to adopt these resolutions three years after they had been voted, without knowing whether in the mean time they had produced any effect. "Suppose," said his lordship, "that the noble earl (Bathurst) happens to be walking out with a right honourable friend of his, and they see a man cruelly beating and abusing his horse; the noble earl's right honourable friend says to him, 'I saw that very man mal-treating his horse three years ago; I then went up to him, and said to him in a very decided, and, at the same time, in a very dignified manner,—'It is expedient that you should adopt measures for ameliorating the condition of that horse, yet I know that the fellow has continued to treat his horse very ill; and what I wish you to do, my lord, is, to go up to him, and say to him, precisely what I said to him three years ago.' The noble earl's first inquiry would be, what was the effect of your remonstrance three years ago? The answer would be—he laughed at me, he abused me, he scorned my remonstrance, and he used his horse exactly as he had done before. Then would the noble earl reply, 'Indeed, I will not do any thing so foolish; if you had at once taken the fellow before sir Richard Birnie, and charged him under Mr. Martin's act; or if you had



even chosen to take the law into your own hands, and punish him on the spot, well and good. But pardon me for saying, that I cannot do so idle a thing as to ask him now to do what he refused to you three years ago.’”

Lord Liverpool answered, that the objections taken to the resolutions by the noble lord who had preceded him, if they amounted to any thing, amounted to this, that, on this important question, he would do absolutely nothing; and yet it was allowed on all hands to be most desirable to take some effectual steps for the mitigation of the evils of slavery, and towards getting rid of it altogether, as soon as we could compatibly with the safety of the colonies, and a fair consideration of the interests of private property. He could not allow to that noble lord that the question was surrounded by difficulties so extraordinary and complicated, that he could not find his way through them. The simple question, as it seemed to him, which every noble lord was called upon to discuss in his own mind, was shortly this,—“is it desirable, or not, that the state of slavery in our West-Indian colonies should be ameliorated and improved by such a course of measures as shall lead to its final extinction, as soon as such extinction can with safety and propriety be effected?”—Now, upon that general question, he believed there would exist no difference of opinion between the noble baron and himself. “And, if that be so,” continued lord Liverpool, “I do not think that he and I should differ much as to the mode by which that amelioration in the condition of the slave should be effected, and the state of slavery be at last put an

end to. The means by which these objects are to be effected must be, in the first place, by the religious education of the slave; and in the second, by getting rid of the most objectionable badges and indications of his condition—such as the whip, the Sunday-market, and other things which are in themselves the distinctions that bespeak his lot, but which surely are not necessarily attached to his situation, or justified by any general plea of necessity. In the next place, I concur most heartily in the propriety of that other beneficial and most important principle, the admission of slave-evidence in courts of justice; and, lastly, we must avail ourselves of those means of improvement and education that have been indicated in the orders in council, or of some similar means. I am not at all disposed to look to the future conduct of the colonial legislatures with any thing like despondency: and even if I did, I should still think it to be the first duty of parliament to try the course that is thus proposed for the guidance of those legislatures in future. I should still think it to be our duty to state fully what our opinions were upon the measures to be taken for the amelioration and the education of slaves, and to recommend them to the colonial legislatures, for the purpose of their carrying them into effect. I should do so, for this reason—not only that the colonial legislatures are much more likely to succeed in carrying any measures of the kind into effect, but that it would be well that the slaves should owe these blessings, greater or less as they may prove, to the colonial legislatures, jointly with the British parliament, and not to the British



parliament alone, acting without the concurrence of the colonial legislatures. To the colonists I would say, It is an object equally necessary for your interests and for the honour of the British nation. But do you proceed in it first. We, the Parliament of Great Britain, desire not to stand out upon minor considerations and less important points. Our anxious wish is, that the slaves should know that they owe the boons conferred upon them, to the colonial legislatures co-operating with the authorities in England, and not to any act of peremptory, separate, and absolute, authority upon the part of the legislature of Great Britain. We must not be surprised, if they, whose interests are directly concerned in the general question which these considerations involve, whose prejudices and feelings are engaged in them, and whose property is liable to be affected by their discussion, do not travel quite so fast towards a conclusion in favour of such proposals as ourselves, who have no such feelings or interests to consult. We have a right to see that those parties do in this case what in our opinion it is right, just, and proper, that they should do. But we are, at the same time, to remember, that we owe it to the common infirmity of the human mind, to make a large allowance for the operation of such influences upon the conduct of others. Upon these considerations I state, that whatever may be the ultimate result of these resolutions, we will be pursuing a true and correct course by agreeing to them now. What may hereafter be fitting to be done, if the principles upon which these resolutions are founded should not be acted upon

by the colonial assemblies, it will be for Parliament to consider and determine at a future period, whenever the occasion for its doing so may arise."

The resolutions were agreed to without any division.

On the 17th April lord Suffield brought forward a motion to prohibit persons in official situations in the West Indies from being proprietors of slaves; a motion, which, he said, had no connection with the emancipation of the negroes, and was directed not so much to the conceding of civil rights, as to the preventing of criminal wrong. It was the nature of slavery to corrupt and debase the master, as well as to degrade the slave; the corrupt influence exercised on the minds of public functionaries in the colonies by the possession of slaves, had rendered justice a mockery, and the obtaining of justice for an injured negro an impossibility. The report of the Demerara commissioners alone furnished abundant evidence. It embraced only the period from 16th June, 1824, to October in that year, during which time the number of complaints brought under consideration was twenty-five. Of these, seventeen were cases in which slaves had complained of their masters. Twelve of these were punished for complaining, two were restored to their masters to be punished, and in two cases redress had been given. Next followed six cases in which the masters complained of their slaves. In four of them, the slaves were punished by imprisonment, and in two, by flogging. There was one case, continued the noble lord, of a truly horrible nature, which had before been brought under the view of the public, and



had been defended in a manner which, in his opinion, only tended to aggravate it. It was the case of a woman who had been flogged, and who had miscarried in consequence. The driver, who was ordered to flog her, remonstrated, saying that the woman was pregnant. The manager's reply was, "Give it to her, till the blood flows out." This happened on the Friday; she was sent to work on the Saturday, and miscarried in consequence of the flogging. Her testimony was confirmed by that of a medical man, and a negro woman. The defence set up was, that the driver said she was *rather* big with child, and the word "rather" was omitted in his examination. The next case to which he should allude was that of a man named Brutus, who was flogged because he would not consent to the violation of his daughter. He would mention only one other case, which remained undenied in every part, that of a negro named Michael, who had been flogged on the same plantation as the former, and, for aught he knew, by the same manager. He had been suspected of theft, being found in possession of property similar to some that had been stolen. He denied the theft to the manager, who threatened him with the stocks, and flogged him. He complained to the proprietor that he had been flogged for an offence of which he was not guilty; and, obtaining no redress, he went to the fiscal, who said that, as there was no proof of his innocence, he could do nothing for him. Thus the man was punished, not because guilt had been proved against him, but because he could not prove his innocence. The manager was only reprimanded. The number of cases in

which any decision was given in favour of the slaves, was miserably small. A slave named Felix complained of general profligacy on the part of the manager towards the wives of the slaves, and that his own wife had been taken from him for improper purposes. He went to the fiscal and complained; and what sort of redress did he obtain? A case of adultery was proved against the manager; the fiscal ordered Felix to be flogged, and the manager was merely reproved for his misconduct. The pretence for flogging Felix was, that he neglected his work. A negro, named Lambert, was very ill, and could get no medicine. In this state he was compelled to work day and night. It was not contended that he feigned illness; he was flogged, however, and no reason assigned for it. Another case was that of the slave Michael, a very old man, who was flogged for refusing to do what was in itself illegal, and could obtain no redress. No change for the better could be reasonably expected, so long as those very functionaries, who ought to protect the slave against the cruelty and tyranny of the master, were themselves slave-proprietors. He therefore moved, that an Address be presented to his Majesty, praying that he would be graciously pleased to direct that, in future, no person, being the owner of slaves in any of the colonies, or possessing a reversionary interest in such property, should be appointed to the situations of governor, chief justice, attorney-general, fiscal, guardian, or religious instructor, in any of the said colonies.

Lord Bathurst opposed the motion. He had no difficulty, he said, in admitting the propriety of



preventing the Governor and Chief-justice from being slave-proprietors; but the case was far from being so clear with respect to the other functionaries included in the motion. He saw no reason why the Attorney-general, who could derive but an inconsiderable income from his practice in any of the colonies, or why the fiscal, or religious instructor, who must be residents, and possess lands for their support, should be shut out from the only means of cultivating them. The noble lord had complained of the number of cases, in the report from Demarara, in which complaints were made by slaves against their masters, and, in place of being redressed, visited with punishment. It ought to be considered that there had been, not long back, a rebellion in Demerara—that the fiscal was placed in a critical situation; and that, from the very nature of society in the colonies, it was necessary that slaves should be punished when they brought against their owners complaints utterly destitute of foundation. He could see no reason for conceding the motion, and would therefore move the order of the day. Lord Ellenborough said that he would rather have met the motion with a direct negative, for he disapproved both of its principle and its details. The good examples set by public functionaries in the treatment of their slaves, could not ultimately fail to have the best effects on the conduct of other proprietors. The House passed to the previous question, and the motion was lost.

A few days afterwards (20th April) the same topic was brought before the House of Commons by Mr. W. Smith, who moved this resolution: “That from the offi-

cial documents which have been laid on the table of the House, and from other authentic information respecting the colonies of Demerara and Berbice, it appears that, although protection has been held out to the slave-population by the appointment of a Fiscal Chief-justice, or some other individual in the character of a protector of slaves, yet the slaves are in general exposed to numerous vexatious and grievous oppressions which demand relief; and therefore that this House has observed with great satisfaction the declared determination of his majesty’s ministers to promulgate in those colonies an order in council on so important a subject, to which unqualified obedience will be required; but that, from all reason and experience the House is led to conclude, that no legal act, however well devised and strongly framed, will be sufficient for the effectual safeguard of the slaves, unless the officers, either principal or subordinate, to whom the execution of the law may be intrusted, are appointed and supported by the government at home; and are absolutely prohibited from possessing and employing slaves in any capacity, either predial or domestic.” This resolution he vindicated by the same considerations, and the same allegations of practical abuses which had been put forward by lord Suffield in the House of Peers, coupled with delineations of the good which had been effected in the colonies by the labours of the missionaries, the proportion in which negro life was shortened or extended according as more or less of the soil was employed in the cultivation of sugar, and the trivial claims which the colonists could have to sympathy, after hav-



ing shut their eyes, for so many years, to the signs of the times. Mr. Wilmot Horton deprecated these irritating references to the past—a system which, whatever it might have been, was superseded, and would never return. In regard to the two colonies in question, the motion was unnecessary. The Trinidad Order in Council was already, with a few modifications, in full operation in Demerara, and would soon be so in Berbice. A protector of slaves, possessing ample powers to fulfil the purposes of his appointment, had been nominated for Demerara, and the instructions given to that functionary afforded the best answer to the speech which introduced the motion. They were to the following effect: “It is your particular duty, as protector of slaves, to watch over all the regulations that may exist at present, or that may be introduced hereafter, respecting the treatment of slaves in Demerara. You are to apply to the local government for such facilities as may enable the slaves to communicate to you any complaints they may have to make against their owners; and you are not to fail to report to the lieutenant-governor any impediments which may be thrown in the way of such communication. You are not, on all occasions, to wait for the spontaneous complaints of the slaves themselves; but if you hear of any maltreatment to which they have been subjected, you are to repair to the estate on which that reported maltreatment has occurred, and institute a diligent inquiry into the circumstances of the case. You are not, however, to forget, in the execution of your office, that it is as much your duty to secure the legitimate rights of the proprietors,

as it is to protect the slaves from injustice and oppression. On these points you are to endeavour to exercise a sound discretion, and to adopt such measures as, while they secure the slaves, may not interfere with their industry or with the obedience which they owe to their masters. For that purpose, although you ought to exercise the utmost vigilance in protecting the slaves from injurious treatment, you ought at the same time to discourage all frivolous and unfounded complaints. One of your earliest studies ought to be the means of fixing on the minds of the slaves, by such statements and arguments as may be capable of comprehension by them, the principles of these instructions.” Under all those circumstances, seeing that the regulations which had been introduced into Trinidad were already in operation in Demerara, and would speedily be so in Berbice; it would be much better to look forward with confidence and hope to the future, than to exasperate the parties interested by a recurrence to the past; and, for his own part, he could not see the use of this perpetual agitation of the question.

Mr. Rose Ellis denied the existence of that system of refusing redress, and of even punishing slaves for complaining, which was made the foundation of such sweeping charges against the colonies. He had taken the pains to analyse the report made by the Fiscal of Berbice; and it appeared that, out of forty-three cases of complaint made by the slaves, which had occurred in a period of thirteen months, twenty-seven were adjudged to be altogether unfounded; and of the remaining sixteen cases, there were eight in which both parties were



adjudged to be in the wrong, and eight cases only in which the complainants were right. In a period of five years there was a total of three hundred and twenty-three complaints, in two hundred of which the complainants were altogether in the wrong, and of the remaining cases it appeared there were fourteen well-founded complaints each year from a population of 20,000 slaves. Another test of the accuracy of that report was to be found in a report of the Fiscal of Demerara, from which it appeared that, out of eighteen complaints in six months, fifteen were adjudged to be unfounded, and there were only three in which there was cause of complaint. So far, therefore, the report of the Fiscal of Demerara confirmed that of the Fiscal of Berbice; and he put it to the candour of the House, whether those sixteen decisions in which the managers or owners were adjudged to be in the wrong, whilst there were two hundred and ninety cases in which no such decision was recorded, were sufficient ground to found sweeping charges. Of the three cases in which it was stated that the parties had been punished for bringing forward unfounded complaints, the report stated that the parties were punished, the charges being unfounded, and they having absconded. Absconding was the greater offence, for which the major part of the punishment of seventy-five lashes was inflicted. They had been so punished, not for bringing forward unfounded complaint only, but for that offence aggravated by running away.

Mr. Baring, in the course of a very sensible and business-like speech, declared, that he could not conceive what was the

meaning of the resolution, if it was not intended, or thought to be in opposition to the views and wishes of government. If it was not so intended, it was unnecessary; if it was so intended, it was both inconvenient and dangerous. Both in Jamaica and Demerara no greater danger had been experienced than what arose from rumours getting abroad; first, that the government at home was in hostility with the colonial authorities; and next, that parliament had determined to goad on the government—for such was the notion with which the strange conduct, speeches, and pamphlets of some persons here had impressed the negroes of Demerara. He must say of the whole Anti-Slavery Society, and perhaps he should have said more, if he had not the highest respect for the talents and upright intentions of so many honourable friends of his in that House, who were also members of the body he was now alluding to, that there was in their proceedings something not only totally irreconcilable, with common prudence and propriety, but something which had about it a character of rashness, precipitation, and confusion, that was calculated to produce in the colonies irremediable mischief and vexation. He must take leave to apply this remark, to a certain extent, to some of these gentlemen even in that House; more than one of whom appeared, from the notice-book, to have prepared each some motion or resolution on this favourite topic. If he could see, in the conduct of these members, any object of possible attainment (well knowing, however, the integrity of their motives) which he could reconcile with the dictates of that common sense which no



men, on other occasions, more eminently possessed, he should know what construction to put upon their proceedings, of which at present he could not understand any part.

The motion was negatived without a division.

On the part of those who were interested in the colonies, petitions were presented to the House of Lords from the Board of Council, and House of Assembly of Antigua, and to the Commons from the Board of Council alone, on the 14th of April, and, on the 20th, to both Houses from the great body of British merchants trading to the West Indies; all of which renewed those incidental and undefined discussions which could by no possibility lead to any practical conclusion. The petitioners of Antigua said, that the slave trade had not been established for the benefit of the colonies; and they proved, by a reference to documents, that, but for the government and legislature at home, it would long since have ceased to exist. So far back as the year 1717, the House of Assembly of South Carolina, planters themselves, and alive to the interests of their class, had passed an act with a view to the abolition of the trade. In 1765, a bill had proceeded so far as the second reading, in the House of Assembly in Jamaica, the object of which was similar to that which had previously passed in South Carolina. But in Jamaica the bill went no further, in consequence of its having been intimated that the governor of the island had received such instructions from the ministers of the Crown as precluded his assenting to the measure. At a still later period, in the year 1774, the

House of Assembly in Jamaica passed two bills, the object of which was to put an end to the slave trade: but at home the influence of Bristol and Liverpool succeeded in defeating the measure. The question on that occasion had been submitted to the Board of Trade, and the President of that day (lord Dartmouth) intimated the opinion of that body to be against the views of the Planters—whose intentions on that occasion, as on former occasions, were defeated; for it was alleged that no measure could be acceded to which would have the effect of checking a trade so advantageous to the nation at large. The petitioners, therefore, maintained, with much apparent reason, that, if they were to be deprived, by the emancipation of the slaves, of what the law had declared to be their property, and had encouraged them to acquire, they should at least be compensated for the loss; and, if any wish was entertained by parliament to try the experiment of raising West-India crops by the free labour of negroes, the petitioners expressed their perfect willingness, cheerfully to sell the whole island, at a fair valuation. The merchants, again, represented in their petitions, that the emancipation of the slaves would be a direct interference with existing securities over West-Indian property. The statute 14 Geo. 3, expressly recognized slaves as property of which mortgages might be granted. But, until it should be proved by experience, that free negroes would carry on the ordinary cultivation of the estates in a regular and effectual manner, as hired servants, the slaves formed the essential part of the security, because, without them,



and their compulsory labour, colonial land ceased to be of value. If the public interest, therefore, or public opinion, required that these securities should be forfeited, then, in this, as in every other case of private property being taken for the use of the public, indemnity was required both by justice and by the practice of the constitution. The fears thus entertained had evidently no foundation in the measures of government for mitigating the evils of slavery; but their existence proved what apprehensions were excited by the unceasing knocking of the ardent abolitionists at the door of the cabinet.

A last, and a more formal, attempt to induce government to abandon its own more moderate and cautious plan, and speak to the colonial legislatures in the voice of unbending authority, was made just before the close of the session by Mr. Brougham, who moved (May 19) a resolution, "That the House has observed, with extreme regret, that nothing has been effected by the colonial legislature, in compliance with the declared wishes of government, and the resolutions of the House of the 15th of May, 1823, for ameliorating the condition of the slaves in the West-Indian Colonies; and that this House, therefore, pledges itself, early in the next session of parliament, to take into its most serious consideration such measures as may be calculated to carry into effect the recommendation of the government and the House."

In the speech, full of detail, with which the motion was introduced, after passing over with approbation the provisions of the order in council, which had been carried into effect in the colonies having no particular legislatures,

and in which he found little that was objectionable compared with the great good which it was well fitted to effect, he proceeded to the conduct of the colonies which had legislatures of their own. These were thirteen in number; and, he would examine, from the representations of the colonial bodies themselves, what had been effected by them in furtherance of the views of government, and in conformity with the resolutions of the House. In six of them, nothing had been done, namely, Antigua, the Bermudas, Montserrat, Nevis, St. Kitt's, and Tortola, including also, in this enumeration, the Virgin Islands. In these colonies there were not fewer than 80,000 slaves; and the only information on the subject of these colonies was contained in a letter from governor Maxwell of St. Kitt's, who stated that the important measure of the amelioration of the condition of the slaves, as recommended by the government here, had been referred to a committee of the two legislatures of St. Kitt's and its dependencies, but that he regretted to say no progress had been made. Next in order was Jamaica, a most important colony, in which, from its population of 340,000 souls, from the large body of whites, and the great number of free people of colour it contained, and from the influence and advantages it possessed in other respects, might have complied more easily than any other with the wishes of parliament and the country; yet, here also, literally nothing had been done. Out of nine injunctions, five had been entirely overlooked, namely, those regarding religion, marriage, separation of the slaves on the same plantation, separation of members of the same slave



family, and the regulations respecting punishment. But an act had been passed to protect slaves from being taken for the debts of their masters, on Saturdays as well as on Sundays. The first bill introduced in Jamaica, respected the admission of slave-evidence under certain restrictions. The bill, which had been brought in for this purpose, fenced about with limitations, which rendered the law perfectly harmless, had been rejected by the almost unanimous voice of the House of Assembly, the mover alone voting for it. Afterwards the same bill was submitted to a committee; and, every thing having been done to conciliate local prejudices in the amendment of it, it was again rejected by a majority of about two to one, many who voted for it declaring that they should, at a subsequent stage, vote against it. Now, what was the nature of this measure? It was to admit slave-evidence, upon a certificate of approval given from the person who had had the management of the identical slave who was to give evidence, for the space of three years. Yet thus attenuated, frustrated, and nullified, the recommendation of the order in council was rejected by the Assembly. Although the evidence of the slave was to be confined to matters of murder, treason, and mayhem, the clamour out of doors was so great as to deter the Colonial Assembly. The duke of Manchester thus expressed himself—"The clamour out of doors, and the resolutions of parochial meetings, so strongly expressed the public feeling, that many members yielded their better judgment." Next in importance to Jamaica, stood Barbadoes, containing seventy-nine or eighty thousand

slaves. The nine propositions sent out for the adoption of the colonists had been rendered perfectly nugatory: he might justly speak of the answers to all of them as evils. It was true that on the 18th of September, 1825, an act was passed containing many important provisions on all these several heads; but when these provisions were compared with previous acts, it would be found, that some of them would not prove of the slightest advantage to the slaves; that many of them were verbally copied from previous enactments—that many of them made worse what was already bad, and, where they differed from the earlier legislation, it was, in most cases, to the disadvantage of the negro. It was provided by the act of 1825, that if any slave should give information concerning any other slave being implicated in any insurrection, conspiracy or rebellion, so as to procure conviction, the informer should be made free by his price being paid to his master, and be granted a pension of ten pounds a-year. In another case, provided for in the same act, the informer was to have a pension of five and twenty pounds a-year. This was a premium held out for the increase of pretended plots, conspiracies, and rebellions. Now here was this provision shown up as a novelty in the year 1825, while an act passed in the year 1688 contained the self-same provision, or rather, the same provision in a less detestable form, for that fixed the pension neither at 10*l.* nor 25*l.*, but at 40*s.* In the same manner, every provision of the new act had been anticipated in seven or eight measures of the last century, excepting those now introduced, which went to make



the situation of the slave worse than it had been before. By an old act, punishment was provided for any slave who "should use any insolent language, or gesture to any white or free person." The new act had made it, "to or *of* any white or free person." He could understand what was meant and intended by insolent language addressed to a person, by a still further stretch; an insolent gesture to, and in the presence of, the party might be comprehended; but an insolent gesture *of and concerning* an absent man, was, to say the least of it, vague and arbitrary in the extreme. A slave, convicted of this strangely-described offence, remained entirely at the mercy and discretion of a single justice, by whose decision he might be punished to the extent of nine and thirty stripes. By this little interpolation a punishment of a most severe character was incurred. Another new enactment provided, that if any slave should hear any words tending to mutiny, and not immediately disclose and discover the same, &c. &c. "Words tending to mutiny!" How could a slave judge of words tending to mutiny?—not whether they were seditious,—not whether they were treasonable,—but whether or not they tended, directly or indirectly, to make the other slaves mutiny;—not whether the words constituted in themselves a mutiny, but whether they had that tendency. What was the punishment provided for the crime of hearing these words of mutinous tendency,—was it five and twenty, or nine and thirty stripes? No; it was death. On the subjects of property, mutilation, cruelty, punishment, and hanging instruments of torture round the necks of slaves,

it appeared from the documents that every pretended improvement, and every provision of importance in this boasted law of Barbadoes was to be found in the old, as well as in the more recent enactments. Even in regard to the flogging of females, the only alteration made was, that females should not be flogged *publicly*, under a penalty of 10*l*.

The islands of Grenada, Demerara, and St. Vincent's, Mr. Brougham continued, were to have done most, as being the best circumstanced; but he thought that nothing deserving the name of improvement had been introduced into any one of them, either as to the admissibility of slave-evidence, or the regulation of punishment, or the right of property. The instance of the Island of St. Vincent's had been mainly relied on, and it was urged, that there slave-evidence was admitted, and the practice of driving put down. With respect to evidence, there were no fewer than six points of essential difference between the act of St. Vincent's and the Trinidad order in council. The first was, that the evidence was only admissible in cases of murder, maiming, cruelty, or such felony as would subject the accused, if convicted, to the punishment of transportation. The second difference consisted in this, that the witness must be provided with a certificate from a clergyman. The third was, that he must obtain a certificate from his proprietor, overseer, or manager, as well as from the clergyman, so that, unless the owner or his attorney chose, the evidence of the slave could not be admitted. And what was the kind of certificate required? Not only that the slave was acquainted with, and under-



stood the nature of, an oath, but also that he had previously borne a good and unblemished character. Fourthly, the person tendering his evidence was to be examined by the court as to his proficiency in moral principles, and his knowledge of the obligations of an oath. In the fifth place, two slaves, examined apart, and out of the hearing of each other, must give exactly the same evidence. And, last, and greatest of all, the testimony of slaves was not to be received against their owner, his attorney, manager, overseer, or any person having the charge of such slaves, who might be prosecuted for any of the crimes aforesaid. Was this adopting the substance of the Trinidad order in council? or had these colonists gone, as they pretended, to the utmost verge of conciliation, when they did not scruple so to mutilate and frustrate the letter and spirit of that order in a case the most important of all, namely, with reference to charges brought against the owner or his agent, who had it thus in his power to stifle all complaint, where it was generally most desirable that complaints, if well founded, should not be discouraged? In the same way, Dominica had recognized the admissibility of the evidence of slaves duly baptized, provided two of them concurred, when examined apart, in the same story; and provided that the evidence was not to affect their master. After going into many other lengthened details of what had not been effected by the colonial legislatures, Mr. Brougham concluded that Jamaica had done less than nothing, and Barbadoes worse than nothing. The House, therefore, ought now to let it be known, that government and the country took

a deep and universal interest in the subject; but, above all, it would be well to let it be known to the West-Indian legislatures, who had disregarded, were disregarding, and were likely, till the House and the country roused themselves, still to continue to disregard, the admonitions which they had received, that the time had arrived, when, if they would not do their duty, the British parliament were determined to do theirs.

Dr. Lushington supported the motion, because slavery was inconsistent with Christianity and the constitution; and Mr. Denman, by referring to the progress which St. Domingo, since its emancipation, had made in civil attainments. Mr. Horton and Mr. Ellis maintained, in opposition to it, that it was unjust and absurd to consider the planters as having any love of slavery for its own sake, or resisting its mitigation as the renewal of an abstract blessing; that their reluctance to concur in measures proposed at home arose mainly from a belief that those measures tended to depreciate their property, if not to destroy it; that, as information extended, and gradual steps continually added to experience, they would take a more accurate view of their own interests, and discern that the gradual amelioration intended was neither objectionable in principle nor dangerous in practice; that the course which had been already recommended by parliament, and begun by government, was the only course properly fitted to gain these ends; and that to comply with the present motion would be an abrupt and total departure from it. The point, said Mr. Canning, on which the House is now called to decide by its vote is whether the resolution



proposed for its adoption will be useful for the purposes, which, it must be assumed, are the objects of that resolution. That resolution contains some propositions, to which, as abstract propositions, I have no difficulty (with some modifications, indeed,) in subscribing. But the particular question for the House to determine, on the present occasion, I take to be—whether the passing of any such resolution as this be necessary or useful? and if it be neither necessary nor useful, whether it may not be rather detrimental than beneficial to the general question upon which the House has already expressed its feeling? I must assume, that the resolutions passed by this House in May 1823, contain the whole of the code which parliament have agreed to take for their guidance in this business; and I must also assume that the several measures, which the government have founded on those resolutions, have been admitted to have been conceived in the spirit of those resolutions, and to have been framed accordingly. If there be those who think that a different course from that which we have pursued ought to have been adopted; if there be those who may be even disposed to go back to the year 1807, as thinking that the abolition of all slavery in the West Indies ought to have been then enforced by an act of parliament, I have really only to say to them that they come too late into the field: that parliament has already come to its determination and formed its decision on that subject. I can only remind them, that parliament has already pronounced, in a voice not to be misunderstood, that it would not by an immediate act proceed to compel the emancipation of slaves

in the West Indies, but that it looks to that event as a result which will be produced by the more conciliating and moderate course it has already adopted; that it will not be diverted from that course, except by a degree of resistance amounting to contumacy, which it does not at present contemplate; and that we may still hope that we shall not be drawn to that sort of alternative which a departure from this kind of course supposes. As to those again who think that this most important question, involving, as it confessedly does, so nearly the lives, the interests, and the property of so many of our fellow-subjects, is to be determined on the abstract proposition—"That man cannot be made the property of man,"—I must take the liberty of relegating them to the schools; and of telling them that they do not deal with this grave and extensive question as members of the British parliament, or as members of any established society. I must tell them that the practical adoption of their speculative notions on so grave and weighty a subject would leave our West-India possessions to a state of ravage and desolation, which, I think, they themselves would be but little prepared to expect. Is the resolution now offered for adoption, conceived in that temperate spirit, and does it bear that stamp of deliberation, which would not give it the effect of changing our course, and precipitating the House at once beyond the view it has hitherto acted upon? If this resolution were no more than a renewal of our former declarations, it would amount to nothing. But, in fact, it is no such thing. In the first place, it expresses regret at the proceedings of the West-Indian legislatures,



To this part of it I can have no objection, further than that it would be a waste of time to record over again what we have already recorded; and, to the second part of it, which pledges the House to follow up this declaration with measures calculated to give effect to it in the ensuing session, I have another and a different objection. I think that to record such a determination would be productive of positive mischief. I do not look to the six or eight months which may possibly intervene between the present and ensuing session, with any feeling of despair that the West-Indian governments will not adopt some measures in the spirit of the recommendations sent out to them; and I think their disposition to do this would be weakened by a pledge of this nature. What would be the effect of it on their minds? They would have a right to argue that we knew not our own minds; that, discontented with the course we had already taken, we now stood pledged to resort to some other mode of legislation; that, whatever might have been the views of government, the House of Commons had stepped in, and of necessity changed them by pledging itself to a new mode of proceeding. In this way would the Jamaica legislature have a right to argue; and would it be right to abandon at once those expectations which it is impossible but we must have, and which the West-Indian legislatures will not be so absurd and inpolitic, to give it no worse a moral epithet, as to entirely disappoint, by signifying to them that we are not satisfied with our own course, and thereby warning them to wait, and see what further steps we shall be disposed to take? The great difference between the plans

of his majesty's ministers and those of the hon. gentlemen who are desirous of a more rapid progress is, that they risk the desired end, to arrive at a precipitate conclusion; whereas we wish to retard a little the attainment of the object, in order that we may arrive at it with a greater assurance of safety."

Sir T. Ackland, having observed that he did not wish directly to negative the motion, and that he nevertheless thought that its adoption would retard the good effects to be looked for from the resolutions of 1823, moved the previous question as an amendment, which was carried by a majority of 100 to 38: and thus the colonial legislatures were allowed another opportunity of shewing how far they were inclined, by timely concessions and purposes of good faith, to prevent the necessity of the direct and authoritative interference of the mother country in matters of internal regulation.

An important alteration was introduced, during this session, into the administration of justice in India, by a bill, brought in by Mr. Wynn, for the regulation of juries within the territories of the company. The existing law admitted, by its words, all British subjects to serve upon juries; but, in its interpretation, this appellation had never been extended to all persons born within the British dominions. A very large population had sprung up of late years in India, known by the name of half-caste, one of their parents having been a native, and the other an European. By the construction which the law had received, a construction so ancient and fixed that only an act of parliament could now alter it, the whole of this large class, though born in wedlock, as well as another



very numerous class, consisting of the illegitimate children of European fathers by Indian mothers, were disqualified from serving upon juries, under the idea that they were not British subjects. By the bill which now passed, this disqualification was removed, and "all good and sufficient persons resident within the limits of the several towns of Calcutta, Madras, and Bombay, were declared to be competent jurors, with the single exception that only jurors professing the Christian religion should sit upon the trials of Christians. The details of qualification, summoning, and challenging, were left to be regulated by the supreme courts, subject to the approval of the king in council.

The demands of the civil department of the company's service had so much increased, that it became necessary to facilitate the means of supplying them. An act of parliament, passed in 1813, had provided that no person should be eligible to be a writer in the company's service, who had not passed four terms in the East-India College. In consequence of the subsequent extension of the company's territories, and the establishment of new courts in Bengal, much inconvenience had been experienced in the administration of justice: many persons preferred submitting to wrong, to the risk of being summoned a hundred, or a hundred and fifty miles in prosecution of their rights. The college could not turn off a sufficient number of young men. Seventy more writers than it could furnish were required, and an annual production to the amount of fifty would, it was calculated, be necessary to supply the demand. In these circumstances, a bill was passed suspending the operation of

this provision of the act of 1813, for three years, and allowing the company to appoint any person to a writership, who should produce testimonials of character, and undergo such an examination as might be fixed by the Court of Directors and the India Board.

The case of Mr. Buckingham, who had formerly, on more occasions than one, complained to parliament, accusing the Indian government of having deprived him of his property, and despotically banished him from the country, was again brought before the House of Commons by lord John Russell, who presented a petition from him, and moved that it should be referred to a select committee. The charges contained in the petition, and which were principally directed against the late Mr. Adam, who had exercised the government of India on the departure of the marquis of Hastings, were, that after he had expended 20,000*l.* in establishing, under a licence, a newspaper called the Calcutta Gazette, he had first of all been ordered to quit India himself, and next, the licence of his newspaper had been withdrawn; that by these acts of government he had not only lost the whole sum invested in his speculation, but had been involved in debts to the extent of 10,000*l.*; and that all these arbitrary proceedings had been adopted against him merely because of some strictures which appeared in his journal upon certain public measures. Mr. Wynn and Dr. Phillimore argued that there was no reason for the interference of parliament, as the petitioner had been treated according to law. No person could reside in India without a licence; and the obstinate conduct of Mr. Buckingham, in defiance of all warnings,



had rendered his removal necessary. No sensible man could think of a free press in India, where the empire of a handful over so immense a population was the empire of opinion. The Calcutta journal had begun with virulent attacks upon individuals, and then assaulted the government, canvassing even the most delicate transactions with the utmost violence, in articles which were immediately translated into the native languages. Its editor had received a warning of the consequences of persisting in this conduct in 1818, and disregarded it. In 1821 it was repeated, and it was communicated to him, "that the Governor-general, in council, found himself constrained to exercise the powers vested in him ; and, however painful it might be, he could not shrink from the discharge of that duty ; that he would be deprived of his licence, and would be required to furnish security for quitting the country." In the course of 1822, Mr. Buckingham again repeated his attacks on the government by severe remarks on some transactions which had taken place in the kingdom of Oude. Lord Hastings then gave him his final warning, stating, at the same time, that if he persevered in the same course, his licence would be cancelled, and he would be required forthwith to leave India. This took place toward the close of the year 1822, and lord Hastings embarked for England in January, 1823. Mr. Buckingham, on his departure, began again to calumniate the government ; and Mr. Adam immediately enforced the orders of lord Hastings against him. Any other course would have been pusillanimity.

The motion, however, for re-

ferring the petition to a select committee was carried by a majority of three ; and, two days afterwards, the committee obtained authority from the House, to send for persons, papers, and records. On the latter motion being made, Mr. Wynn complained that the motion for the committee had been carried by surprise ; he never having anticipated that more would be moved for than the reading of the petition, and no notice having been given of the unusual mode of proceeding which had been adopted, while he was informed, notice had been sent to the opposition members to be at their posts. But since a committee had been carried, he must stipulate for a fairer one ; the present list contained only five names from his side of the House, and eleven from the opposition. The chancellor of the Exchequer had come down to the House about six o'clock, and learning that the presenting of petitions was not yet over, he had, he was ashamed to say, turned back. Mr. Hobhouse maintained that when the opposition did gain a question by some strange accident, they were entitled to make the most of so unusual an occurrence ; Mr. Calcraft, that it was only by active and unexpected evolutions that his side of the House could ever hope to defeat their opponents ; and lord John Russell, that the system of notices was extremely prejudicial to his friends and him, as a notice never failed to bring down all the numerous representatives of Downing-street. An amended list of the committee was agreed to without a division.

In our North American colonies, the law of naturalization was extended in the Canadas. By an act passed in 1791, no person could



be summoned to the legislative council, or elect, or be elected, to the legislative assembly of these provinces, unless he was either a natural born subject of Great Britain, or a subject who had become so by the conquest and cession of the Canadas, or had been naturalized by an act of the British parliament. A bill was now passed, giving to a naturalizing act of the Canadian legislature the same effect as to one of the legislature at home; but providing that such act should be null and void if not ratified by his majesty within two years after it should have been presented to him for that purpose.\*

Excepting the relaxation of the navigation laws in favour of the new states of South America, which has been already noticed,† and incidental remarks on the progress of the insurrection in Greece, which excited no discussion, and led to no result, the only measure regarding our relations with foreign states, which occupied the attention of parliament, was the expiry of the Alien act. During this session it died a natural death, and the expectations which had been entertained that no renewal of a measure always unpopular, although sometimes necessary, would be proposed, were not disappointed. In introducing the milder set of regulations which, conferring no power of sending aliens out of the country, were now to take its place, Mr. Peel said, that, in relinquishing the power which that act had bestowed, he had the gratifying consciousness that, in no instance, had it been abused. The only case in

which it had been used was one which bore not the slightest shade of a political aspect. It was that of a man who had menaced a foreign ambassador, and who, there was the best reason for presuming, would have carried his threats into execution, had he not been brought before the Privy Council, and dealt with under the provisions of this act. With the exception of that singular case, the powers, which had been confided to him under that act, not only were, he trusted, not abused, but were actually not exercised. He had also the satisfaction of stating, that in addition to the act remaining inoperative in his own hands, it had never been used for the purposes of annoyance by those in subordinate situations. He could also bear testimony to the excellent conduct of the foreigners resident in this country; and had it not been for such discretion on their part, the House and the country would now have been deprived of the satisfaction of seeing such a measure as the present introduced; and he trusted they would so conduct themselves as not to incur the imputation of making a bad return for the confidence about to be reposed in them. Many of them had been compelled to seek, and had found, an asylum in this country; and it would be but a bad return for the reception they experienced, were they to make England the scene of plots and conspiracies against existing authorities in their own country. If, however, that should turn out to be the case, an event he by no means anticipated, he would feel it his duty to apply to parliament for the renewal of those powers for which he had the satisfaction to believe there was now no

\* 7 Geo. 4. c. 68.

† *Vide ante*, p. 67.



necesssity, and for which he trusted there would be no future occasion.

The new act\* required that every alien resident within the kingdom at the time it passed should transmit to the Alien Office, within fourteen days, a written declaration of his name, rank, occupation, the country from which he last came, and how long he had been in this country, accompanied, in the case of domestic servants, with the name and abode of their masters. An alien arriving after the commencement of the act is required to make a similar declaration, and deliver up his passport to the chief officer of the Customs at the port where he lands, with the name of the place to which he intends to go, and the name and place of abode of any persons to whom he is known. He receives a certificate from the Customs, and the declaration, the passport, and a copy of the certificate are transmitted to the Alien Office. When they are received, a new certificate is given to the alien; and if he be found thereafter, without the certificate, or residing, without legal excuse, in any other place than those therein expressed, he is subject to a penalty of 20*l.*; but if the certificate shall have been lost or destroyed, the alien shall obtain a new one on its being attested by a justice of peace that such is the case, and that he has complied with the requisitions of the act. Twice every year, viz. on the 1st January, and 1st July, he must repeat the declaration of his place of residence, and where he intends in future to reside; but a Secretary of State may require this declaration from him more frequently either by a

warrant under his hand, or by notice in the gazette. When leaving the kingdom, he makes a declaration to that effect at the port of departure, and his passport is thereupon returned to him. There is no provision requiring him to declare into what foreign parts he is going; and, in no circumstances can he, against his will, be sent out of the kingdom. If he do not make the necessary declarations, or make false ones, he is liable to a fine of 50*l.*, or an imprisonment for not longer than six months, on conviction before two justices. The repetition of the declarations may occasion to an alien some little trouble; but certainly the very least that government can be expected to ask is, that it shall at least know what foreigners are resident in the country, and where they reside. This is all that the act grants; seven years residence emancipates the alien from its restraints altogether; and neither for the certificates, the declarations, nor any other step required under it, does it allow a single fee to be taken—a happy contrast from the conduct of continental courts, who contrive to pay their fiscal officers by extortions practised upon strangers.

The session of parliament was somewhat shortened by the approach of its dissolution. On the 31st of May, its sixth and last session was terminated by the following Speech, delivered by the Lord Chancellor as one of the Royal Commissioners for that purpose.

“My Lords and Gentlemen,

“His Majesty commands us to inform you, that, the state of the public business enabling his Majesty to close the session at a period of the year the most convenient for a general election, it is his Ma-

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\* 7 Geo. 4. c. 54.



jesty's intention to dissolve, without delay, the present parliament, and to direct the issue of writs for the calling of a new one.

"His Majesty cannot take leave of you without commanding us to express his Majesty's deep sense of the zeal and public spirit which you have constantly displayed in the discharge of your several important functions.

"His Majesty particularly acknowledges the promptitude and discretion with which you have applied yourselves to the objects specially recommended to you by his Majesty at the commencement of this session: and his Majesty confidently hopes, that the good effect of your deliberations will be manifested in the improved stability of public and private credit.

"His Majesty has the satisfaction to inform you, that the distinguished skill, bravery, and success, with which the operations of the British Arms in the dominions of the king of Ava have been carried on, have led to the signature, upon highly honourable terms, of a preliminary treaty with that sovereign, which his Majesty has every reason to expect will be the foundation of a secure and permanent peace.

"His Majesty further commands us to repeat to you, that his Majesty's earnest endeavours have continued to be unremittingly exerted to prevent the breaking out of hostilities among nations; and to put an end to those which still unhappily exist, as well in America as in Europe.

"Gentlemen of the House of Commons,

"His Majesty commands us to

thank you for the provisions which you have made for the service of the year.

"His Majesty's attention will be constantly directed to the reduction of the public expenditure, in every degree that may be consistent with the due maintenance of the security, honour, and interests, of his kingdom.

"My Lords and Gentlemen,

"We are specially commanded to assure you, that his Majesty's paternal feelings have been deeply affected by the distresses which have prevailed among the manufacturing classes of his Majesty's subjects; and by the exemplary patience with which those distresses have been generally borne.

"His Majesty trusts, that the causes out of which the partial stagnation of employment has arisen, are, under the blessing of Providence, in a course of gradual abatement.

"His Majesty is confident that your presence and example in your several counties will contribute to maintain and encourage the loyal and orderly spirit which pervades the great body of his people.

"And his Majesty relies upon your disposition to inculcate that harmony and mutual good-will among the several great interests of the country, upon which the common prosperity of them all essentially depends."

On the 2nd of June Parliament was dissolved, and writs ordered to be issued for a new election, the writs to be returnable on the 25th of July.



## CHAP. VII.

*General Election—State of the Harvest—Importation of Grain allowed—Meeting of the new Parliament—King's Speech—Amendment on the Address in the House of Lords, moved by Lord King—Amendment on the Address in the House of Commons, moved by Mr. Hume—Amendment moved by Mr. Western—Act of Indemnity—Motion for a Select Committee on Joint-Stock Companies—Resolutions against Bribery at Elections, moved by Lord Althorp—Resolutions for regulating Committees on Private Bills, moved by Mr. Littleton—King's Message respecting the Conduct of Spain towards Portugal—Mr. Canning's Speech on an Address in Answer to the Message—Discussion in the House of Commons—Mr. Canning's Reply—Address moved in the House of Lords—Speech of the Duke of Wellington—Sailing of an Armament for Portugal—Adjournment.*

ALTHOUGH the elections, which followed immediately the dissolution of parliament, presented several scenes of active and vigorous individual combat, they did not possess that interest which attaches to them when their issue is to decide the fate of contending parties. Mr. Stephen endeavoured to make the Slave-trade a test, by publishing an address to the electors of the United Kingdom, in which he recommended to them that the first question put to a candidate should be, whether he was a West-India Merchant, or proprietor of slaves? and, if the question should be in the affirmative, to refuse him the countenance of a single suffrage. Enthusiasm is almost always inconsistent, and, to its vision, one single object occupies all space. No better illustration of this could be found, than that a sensible man should undervalue in a legislator all the qualities suited for the discussion of the complicated interests of Great Britain, because they might be biassed to one particular side on

a single question of very difficult solution.

The Corn-laws; and Catholic Emancipation, were the topics most frequently resorted to on the hustings. As the lower classes had had the impression that their food was high because the Corn-laws existed to enrich the landholder, to declare an opinion in favour of their abolition could not fail to gain cheers at a popular election. Yet it is worthy of remark, that even where candidates found it necessary or prudent to express their sentiments on the subject, they seldom spoke of any specific enmity to the landholders, or gave any pledge to keep food cheap, but found shelter behind the vague and unmeaning promise of supporting such measures as would be equally for the benefit of the grower and the consumer. At Liverpool a miserable attempt was made to get up an opposition to Mr. Huskisson. The pretext for it was, that the mercantile policy of the cabinet had injured the manufactures of the country, and the trade of



the port. But its abettors were few, and ignorant, and mean, and could not find a candidate to accept of their vulgar support. Sir Francis Burdett and Mr. Hobhouse were returned for Westminster without opposition: in Southwark, sir Robert Wilson was opposed strongly, but unsuccessfully. In the county of Westmoreland, Mr. Brougham was again made the instrument of a struggle against the family of Lowther, but received a more signal defeat than in his former attacks. In Northumberland, lord Howick and Mr. Beaumont (one of the former members for that county) both failed, although each of them, before the election was done, gave his second votes with a ministerial and successful candidate. In Scotland, the only struggle was for the representation of the stewartry of Kircudbright, from which the former member was ousted by a majority of one in favour of Mr. Ferguson of Craigdarroch, who had returned to his native country a voluntary exile of more than twenty years in India, whither he had gone to practise as a barrister after his conviction, along with lord Thanet, for a riot in the court at Maidstone on the trial of Arthur O'Connor.

Cobbett had the courage to offer himself to the electors of Preston, where he found amongst them a good many kindred hearts; and Hunt, once a bold and dangerous demagogue (in so far as the power and inclination to excite confusion makes a man dangerous) but whose fame had now sunk into that of a very successful manufacturer of shoe-blackening, had the effrontery to start for the county of Somerset, in special opposition to sir Thomas Lethbridge, and to retire from his

defeat, announcing, that "he would repeat the experiment till it succeeded." That Cobbett should have polled nearly a thousand votes in Preston is perfectly natural, because Preston enjoys almost universal suffrage; and the fact is an edifying example of the effects of that mode of distributing the elective franchise. On the part of *the man of the people* the election was a scene of unmingled blackguardism. On its termination he thus addressed his mob:

Gentlemen, I have done much good to you by my coming; I have sweated your tyrants—I have bled them. I have made the silly Honourable (Mr. Stanley) throw 15,000*l.* among you, and that's no joke; for though these lords have too much land, they have not too much money. I have tickled the captain too; I have made him dance to some tune; he must have pledged his half-pay to keep open house for you, and now, like the other half-pays in London, he must live on plates of beef and goes of gin for the next seven years. As to Mr. Wood, I could not draw any money out of him, for the poor devil had none to spend; but his father Otty Wood, the miserly old sugar baker of Liverpool, I have extracted from his pocket what a hundred-horse-power steam-engine could not draw from him—I have made him spend 7,000*l.* These are what I have done for you, good gentlemen. But I have done more—I have kept out the Tory captain Barry. Not that I like Wood either; I only dislike him least of the two; but you shall not be cursed with either one or other of them, gentlemen. The election is not worth a straw. I'll have it set aside next April, when I'll bleed our opponents again; and



you'll elect for your representative the only man who has the wish and the ability, the heart and the head, to serve you and his country—myself, gentlemen, myself.” He did keep his promise so far as to petition against the return; but he neglected to enter into his recognizances, and the petition was discharged.

The Catholic question was brought forward much more distinctly, even in England: the violence, and threats (for their language was nothing less) of the Catholics had called up a corresponding spirit to resist them. It was known that their claims would be one of the earliest subjects of discussion in the new parliament: the one party, therefore, strove to insure the election of a House of Commons which would support emancipation by so powerful a majority as to overcome, by moral influence and political expediency, the majority of the House of Lords; while the other struggled to regain that ascendancy in the House of Commons which they had lost in 1825, but had lost in a degree so small as to be yet recoverable. Of four candidates whom Yorkshire for the first time returned, two were elected on the declared ground of being opposed to emancipation; and lord Milton had to submit to be interrupted in his address from the hustings by clamorous shouts of “no popery.” In London, alderman Wood, who trembled for his election, complained bitterly that his attachment to the cause of the Catholics should be made a reason for opposing him: and a placard having been posted up, like other electioneering squibs, alluding to that attachment, the alderman actually had the hapless bill-sticker apprehended, and

carried before the lord mayor. Lord John Russell lost his election for the county of Huntingdon; his brother, the marquis of Tavistock, was only second on the poll, in the county of Bedford, after Mr. M<sup>c</sup>Queen an anti-Catholic candidate; and Mr. Pym, the other candidate on the Bedford interest, lost his election altogether. Emancipation, or resistance to emancipation, was not indeed proposed to candidates as a test or generally or loudly; but, on the result of the English elections, the opponents of that measure did gain an accession of strength.

It was in Ireland, and naturally so, that the giving or refusing of a vote depended on the answer received to the question—will you vote for emancipation? The demagogues of the Catholic association gave themselves entirely up to carrying this one point, and were aided by a band of much more powerful agitators. The Catholic priests now mixed openly in the conflict; the contest on the hustings was converted into an award of eternal damnation; the consolations of the church here, and the joys of heaven hereafter, were lavished in promise upon the Catholic peasant who voted for an emancipation candidate; the darkness of excommunication in this life, and the gloom of purgatory, or the flames of hell in that which is to come, were denounced against him if he should so forget his God as to vote for an anti-catholic. Over the tattered and ignorant peasant, whom his miserable patch of potatoe-ground, rated at forty shillings, constituted a freeholder, the tyrannical sway of the priest, armed with the terrors of eternity, was irresistible. The associated barrister and the political



priest travelled the country together; in order to propagate the common creed—the one, by threats of damnation, and the other, by the more temporal considerations of civil and religious power; and, to insure any portion of the eloquence expended from being lost upon the motley and unlettered audience, when the lay apostle had delivered his exhortation in English, his clerical brother followed in their native Irish. Not merely political opposition, but downright personal hatred towards an anti-catholic candidate was inculcated as a Christian duty. Mr. O'Connel traversed the county of Waterford, with a rev. Mr. Sheehan by his side, to rouse it against the family of Beresford. Every tie of respect and civil influence which had hitherto united the Catholic tenant to his Protestant landlord, gave way before the tremendous power of the church, hurrying on the unthinking votaries of ignorance and superstition. The consequences were inevitable: the priest-hood wielded the electors, the landlords were attacked and defeated by those very forty-shilling freeholders whom they had themselves created for political purposes; and wherever an anti-catholic candidate came in contact with the church, his failure was inevitable. In the county of Waterford, lord George Beresford, a member of by far the first family of the county, was compelled to give up the contest, his own tenantry being marched forth against him by Mr. O'Connel and the rev. Mr. Sheehan. At a meeting held in Clonmel, shortly after the elections, to celebrate the triumph, Mr. Sheehan, the priest, said, “we said to the people, here are the natural enemies of your country,

and here are your priests who wait on the bed of your sickness, and are your friends alike in prosperity or woe: follow us or them.” Mr. Shiell said, “the whole body of the peasantry have risen up in a tumultuous revolt against their landlords. I avow that this extraordinary political phenomenon is, to a great extent, the result of the interposition of the clergy, whose influence has been brought into full and unrestrained activity.”

This interference of a new influence for the first time was beneficial for the present, in the Irish elections, to the supporters of emancipation: how far it may ultimately benefit the cause is more doubtful. The zeal and violence of the priesthood gave the question a new character, and opened a new view of the intended consequences of emancipation. What is called emancipation is a civil right, and, if granted, would reach only a few laymen. It requires a considerable share of credulity to believe that the activity of the clergy had no connection with the interests of their own order; that they laboured with such diligence, and employed all the powers of their church, merely from a generous willingness to assist others in a cause which could be productive of no advantage to them. It is not uncharitable to believe that, in following a merely civil measure under the standard of pretended civil liberty, they foresee the gradual elevation of their own hierarchy. Never have the Catholic clergy, as a body, been the friends of civil liberty; and, in looking at their conduct in the Irish elections, Protestants may find reason to suspect, that the Catholic church sees in emancipation something much more closely



connected with its own power, and the renovation of its own prosperity, than the equality of civil privileges, and the universal equalization of religions. The exercise of their influence, moreover, tended to diminish its sources. The landlords were now taught the vanity of covering their estates with a swarm of mendicant voters, whose voices were neither their own nor their masters, and who could not bring even the advantage of being politically useful to him once in seven years, to redeem the ignorance and misery with which they surrounded him. If the landlords of Ireland had used the full powers of ejection which they possessed, the condition of the lower class of tenantry would have been calamitous. In some instances the power was exercised; and the Catholic board voted a portion of its funds for the relief of the paupers whom they had induced to quarrel with their landlords, and to sacrifice their homes.

The interest and bustle which had been excited by the elections, were succeeded by grave apprehensions concerning the result of the harvest. Wheat had produced what is commonly called an average crop over all England, or, at least, where it had partially failed, these failures were too limited to have any serious or lasting influence on the general price; but the heat and drought which prevailed, during the months of July and August, both for a length of time, and with a degree of violence, not ordinary in this country, threatened an absolute dearth in other species of grain, as well as in pulse and potatoes. Barley was far from reaching the extent of an average crop; but it was in oats and pulse that the apprehended

scarcity was most alarming. The accounts from every part of the country were all equally unfavourable; and the consequence was, that, in the end of July, and the beginning of August, the price of these latter articles began to rise rapidly and steadily in every market. In the middle of June, when the consumption of the preceding crop tends naturally to elevate the market, oats were 22*s.* 11*d.*; during the first two weeks of August they were at or above 27*s.* 3*d.*; on the 18th of that month they were 28*s.* 3*d.*; on the 25th, they were 29*s.* 4*d.*; and, by the 1st of September, the price had risen to 30*s.* At the same time, the most alarming, and apparently well-founded, apprehensions were entertained, that, while oats, in many districts, the most important article of food to the lower classes, were thus placed absolutely beyond their reach, the misery would be increased, and particularly in Ireland, by the failure of the potatoe-crop. Even the farmers, though obtaining high prices in one way, were suffering much in another; for the violent and continued heats were so prejudicial to the grass, that, on the richest meadow lands of England, it became necessary to feed cattle with dry fodder, almost as in the depth of winter. Subsequently, indeed, these alarms were dispelled by a favourable change of weather, and partly by precautionary measures; and the national root of Ireland produced a crop singularly abundant, instead of one miserably poor: but such were the prospects which the harvest held out in the beginning of September. The high price of 30*s.* for oats, at the season when they should have been most abundant, and pressing, too, as it did, precisely on those dis-



tricts of the country, and those classes of the community, which were already suffering so much from the languishing state of manufactures and trade, was of itself sufficiently alarming; and the fears thus excited were increased by the accounts which were daily arriving from the north of Europe, that the demand was every where increasing for that species of grain.

But although the price which oats had reached by the beginning of September was above the importation price, the system of averages disabled government from legally applying any remedy to the threatening evil. Until an average price above the importation price should have been struck, the ports must remain closed; and the first average that would be taken would not be struck till the 15th of November, an interval during which all the calamities of a famine might have overtaken the country. From this prospect ministers had no means of escaping, except by violating the law, and taking upon themselves the responsibility of permitting importation without waiting for the arrival of the quarterly average under which alone it could legally be allowed. They very properly chose the latter course; and on the 1st of September an order in council appeared authorizing the immediate importation of oats, oat-meal, rye, pease, and beans, and the bringing them into market if they were in bond, but imposing a duty of 2*s.* per quarter on oats, 2*s.* 2*d.* per boll on oatmeal, and 3*s.* 6*d.* per quarter on rye, beans, and pease. The duty was necessarily made conditional, and was not payable at the moment. Security only was required from the importers and holders of the grain to make

payment of those duties, if confirmed by parliament.

The necessity of confirming these duties, and obtaining an act of Indemnity for ministers who had thus gone beyond the law, occasioned the assembling of the new parliament at a much earlier and more inconvenient season than usual. The same gazette which contained the order in council, contained a proclamation summoning parliament to meet for the despatch of business on the 14th of November. On that day, about an hundred members of the new House of Commons appeared at the bar of the House of Lords. The lord Chancellor, as one of the royal commissioners, addressed them in the following terms:—

“My Lords, and Gentlemen of the House of Commons;

“We have it in command from his Majesty to inform you, that, as soon as the members of both Houses have assembled, his Majesty will declare the causes of summoning the present parliament; and as it is necessary that a fit and proper person be chosen Speaker of the House of Commons, it is commanded by his Majesty that you return to the place where you are to sit, and then proceed to the choice of a proper person as Speaker; and after such choice, that you present such proper person for his Majesty’s royal approbation.”

The Commons having returned to their own House, Mr. Manners Sutton, on the motion of Mr. Sturges Bourne, was unanimously re-elected to the chair. On the following day, he was presented, with the usual ceremonies, to the royal commissioners, who declared his Majesty’s approval of the choice made by the House; and the Speaker, in the customary form,



craved and obtained assurance of all the ancient rights and privileges of the Commons of England. Till the 21st, the only business done consisted in the swearing in of members. On the 21st his Majesty himself proceeded in state to the House of Peers, and opened the new Parliament in person with the following Speech from the Throne :

“ My Lords and Gentlemen,

“ I have called you together at this time, for the special purpose of communicating to you the measures which I judged it necessary to take in the month of September, for the admission into the ports of the United Kingdom of certain sorts of foreign grain not then admissible by law.

“ I have directed a copy of the Order in Council, issued on that occasion, to be laid before you, and I confidently trust that you will see sufficient reason for giving your sanction to the provisions of that order, and for carrying them into effect.

“ I have great satisfaction in being able to inform you that the hopes entertained at the close of last session of Parliament respecting the termination of war in the Burmese territories have been fulfilled, and that a peace has been concluded in that quarter, highly honourable to the British arms, and the councils of the British government in India.

“ I continue to receive from all foreign powers assurances of their desire to cultivate the relations of peace and friendly understanding with me.

“ I am exerting myself with unremitting anxiety, either singly, or in conjunction with my Allies, as well to arrest the progress of existing hostilities, as to prevent

the interruption of peace in different parts of the world.

“ Gentlemen of the House of Commons,

“ I have directed the estimates of the ensuing year to be prepared, and they will in due time be laid before you.

“ I will take care that they shall be formed with as much attention to economy as the exigencies of the public service will permit.

“ The distress which has pervaded the commercial and manufacturing classes of my subjects during the last twelve months has affected some important branches of the revenue ; but I have the satisfaction of informing you, that there has been no such diminution in the internal consumption of the country, as to excite any apprehensions that the great sources of our wealth and prosperity have been impaired.

“ My Lords and Gentlemen,

“ I have deeply sympathised with the sufferings which have been for some time past so severely felt in the manufacturing districts of the country.

“ I have contemplated with satisfaction the exemplary patience with which those sufferings have been generally borne.

“ The depression under which the trade and manufactures of the country have been labouring has abated more slowly than I thought myself warranted in anticipating ; but I retain a firm expectation that this abatement will be progressive, and that the time is not far distant when, under the blessings of Divine Providence, the commerce and industry of the United Kingdom will have resumed their wonted activity.”

In the House of Lords the Address was moved by earl Cornwallis



lis, and seconded by lord Colville. The only opposition to it proceeded from lord King, who, mistaking, as so many do, or pretend to do, the real nature and object of a speech from the throne, complained that although it was very well so far as it went, it did not go far enough; and, after expending a great deal of very indifferent wit on the character of the late parliament, and the dulness of ministers as being the greatest "doubters" out of Chancery, amply compensated for the deficiencies of the address, by moving an amendment, twice as long as the Speech together, and embracing every difficult and disputable question — taxation, the national debt, the civil and military establishments, import duties, the Corn-laws, and the state of the currency. These topics were regularly brought out in it, as an exposition of the sentence with which it commenced: "we hope that a steady adherence to just and liberal principles of policy will prevent a repetition of those distresses, which in the course of the last ten years, have repeatedly and severely afflicted all classes of your Majesty's subjects." The amendment was negatived without a division.

In the Commons, the address having been moved by Mr. Liddel, a new member for the county of Northumberland, and seconded by Mr. Wynn, Mr. Brougham, following the example of lord King, complained that the speech consisted of nothing but blanks: he had never, he said, listened to a speech which said so little, and omitted so entirely what it might have said. Among the omissions of the speech, of which he had to complain, there were two subjects of paramount importance; the one, the present state of Ireland; the

other the necessity of retrenchment. It did strike him as a most extraordinary circumstance, that, at a time when, in the minds of all men, there was but one prevailing opinion as to the aspect of public affairs, and that an urgent demand was felt by every one that the affairs of Ireland should be earnestly and speedily, though maturely, considered, yet that, in the King's Speech delivered from the throne at this time, the name of Ireland should never once be mentioned. He hoped there was nothing ominous in it, but it must be confessed that it was in the last degree surprising. It was a singular fact that, just before the breaking out of the American war, at a moment when all men's eyes were pointed towards America, and when America was the word which hung upon the quivering lip of every man who thought or felt at all, neither mention nor allusion was made to it in the Speech from the throne. In a time of scarcely less anxiety, Ireland was omitted in the Speech which had been just read to the House. No man living could believe, knowing what had been doing in Ireland for the last six months, what was doing there now, and what ought to be done here, that the King's Speech contained no mention whatever of the condition of that country. For obvious reasons, he would not now enlarge on this subject; but he protested against the omission, and he earnestly expected to hear the reasons, if reasons could be given, why that omission had occurred. The most satisfactory proposition his majesty's government could make, would be some measure of sound and enlightened policy which should do justice to Ireland, save that country from the combined



horrors of civil and religious warfare, and protect it in what were now its weakest points, but which, well managed, ought to be its strongest, and which would impart strength to the whole united empire. As to retrenchments, it might be said, that, when the estimates came to be submitted to the House, it would be time enough to discuss this topic; but, taking into his view, circumstances which forced themselves upon his attention, and listening to the reports which were abroad, and which were evidenced by certain outward and visible signs, he saw one reason why no pledge of retrenchment had been made. He alluded to the report that a certain proposition might be expected to be made to the House, savouring of any thing rather than necessity, and entirely opposed to the just feelings and expectations of the people of this country. It might be hazardous to prophecy what might happen in this House; but the measure to which he alluded, if carried, would be carried with the unanimous and loudly-expressed reprobation of the people of England. These were not times to trifle with the people. The distress of the country was admitted to be great: one means of alleviating it could alone be effectual, and that was retrenchment. The saving the public money, the reduction of the taxes, the cutting down the estimates, not merely lower, but as low as the necessities of the people required,—these were what the duty of the government prescribed, and what they must resort to, if they expected to retain the obedience of the people. Talk of new palaces while the country is thus situated. New palaces! Good God! is this a fit time to discuss the propriety of

adopting this or that order of architecture? If the House possessed the proper feelings of a British House of Commons—if it was not quite dead to those impressions by which on other occasions it had been influenced, it should know and feel that the purest and most ornamental order that art and science could invent and combine, would appear far less gratifying than to see palaces unfinished, while the people are suffering from want and starvation. Without any wish to excite the displeasure of those whom he (Mr. Brougham) had now the honour of addressing—many of them for the first time—he nevertheless felt it to be his imperative duty, on the first night of this new parliament, to express his deep conviction, that the House would best fulfil its duty to the country, by admitting Ireland to a full and free participation of those rights from which she had been too long excluded, and by reducing the public expenditure of the nation.

Mr. Canning said, it ought to be remembered, that parliament was not called together at this unusual and inconvenient season for purposes of general legislation, but because it was necessary to provide an indemnity for those who, under the pressure of a grievous necessity, had been forced to violate the existing laws; and if any complaint were made, that no notice of the corn question was to be found in the King's Speech, beyond a recommendation to grant the indemnity referred to, he would at once declare his decided disinclination to state, at this early period of the session, the opinions entertained by his majesty's ministers on the subject of the Corn-laws, and the way in which those laws operated



on the country generally. He trusted, therefore, that he should avoid giving dissatisfaction to those who were interested in the question, when he said, that it was not the intention of ministers to bring forward any measure connected with the Corn-laws in that portion of the session which would precede the adjournment; and he was determined not to be provoked into a too hasty discussion of that question. Certain works had been denounced; but he would maintain that the prosecution of public works was of the first importance, when the crying evil of the country was the want of employment for its working population; and, whatever might be the sufferings of particular classes, and however those distresses might be attributed to different causes, he was convinced that the good sense and proper feelings of the country generally would never go to the extent to which the hon. and learned gentleman had carried his remarks, and seriously encourage a desire to curtail the decent splendor of the Crown. The hon. and learned gentleman complained that no reduction had taken place in the naval and military departments of the state; but what was the amount of his objection? Had Great Britain no station to maintain in the world? Had not this country been forced to carry her army to a remote corner of the globe? Did not his majesty say in his Speech, that he had been employed "to prevent the interruption of peace in different parts of the world?" and did the House believe that, in prosecuting that purpose, there was no necessity for maintaining expensive establishments? It was the duty, for instance, of this country to take care, that the confines

of Portugal should not be crossed by a hostile army; and the House would learn with satisfaction that, during the last three anxious months, the appearance of the naval force, which we maintained in the Tagus, had prevented acts that might have involved all Europe in war. In that very force, who would take upon him to say, that the seeds of safety were not sown, and the wisest and best economy exhibited? It was not, therefore, for the purpose of an unnecessary display of the strength of this country, that the present naval establishment in the Tagus was kept up; and there was no branch of the policy of great Britain, that he was not equally prepared to go into, and defend. In regard to Ireland, it was the full intention of his majesty's ministers to bring that subject before parliament, but he would not be tempted by the hon. and learned gentleman into the discussion of a subject, which must, of necessity, be brought forward in the course of the present session.

Mr. Hume delivered a long speech, on the necessity of an immediate reduction of expenditure and taxation, an immediate revision of the Corn-laws, the immediate emancipation of the Irish Catholics, and an immediate reform of Parliament; and moved an amendment, which pledged the House instantly to proceed to execute these various measures, and thanked his Majesty for having called them together at so early a period, as to leave them time to make all requisite inquiries into the estimates before voting the supplies. This amendment, which form required to be moved as a substitute for the original Address, was seconded by Mr. Marshall, one of the new members for Yorkshire.



It was supported by alderman Waithman, sir Ronald Ferguson, and alderman Wood, but was lost in a division by 170 votes against 24.

The agriculturists did not seem to be better pleased than their adversaries with the omission of the subject of the Corn-laws in the Speech; and, when the report on the Address was brought up, Mr. Western said, that the operation of the Address, as it now stood, would prove exceedingly injurious, by giving the sanction of parliament to the opinion, that the manufacturers were suffering from the undue gains of their fellow countrymen and neighbours, the agriculturists. Now it was most material not only that parliament should do all in its power to guard against the propagation of such an error, and so prevent its injurious effects, but that the House should specifically pledge itself to an investigation of the causes which had led to this state of perplexity and distress, and which, ever since the year 1815, had placed this country in a situation perfectly unparalleled. He conceived that the first duty of the present parliament was, to undertake the charge of that investigation—to undertake the duty of tracing the causes which had led to such an extraordinary state of distress for the last ten years. He therefore moved as an amendment—"That your Majesty's faithful Commons feel it their duty to represent to your Majesty, and at the same time to express their deep regret, that the Agricultural classes, though not suffering in the degree they did a few years ago, particularly in the year 1822, are yet in a state of severe pressure, from the heavy burthens to which they are exposed. They will endeavour to trace the causes which have led to

the dreadful alternations of prosperity and adversity which all the industrious classes have experienced since the termination of the war in the year 1815, and they trust they shall discover the means of restoring the agriculture, commerce, and manufactures of the country to the same condition of prosperity and progressive improvement in which they were steadily advancing antecedent to that period."—The amendment was opposed by sir John Sebright as unseasonable, considering that the whole question of the Corn-laws would soon be before the House; and it was not pressed to a division by the mover.

On the presentation of a petition, lord Liverpool repeated in the House of Lords the declaration which had been made by Mr. Canning, in the debate on the Address, that ministers were prepared to propose a general measure regarding the Corn-laws, but that it would be unfair towards the country and towards parliament to bring it forward before the Christmas holidays. It had been fully understood that parliament was not to meet for business till after Christmas, and that it had been convoked in November merely for a special purpose. It would, therefore, be unjust to enter upon business which it had been negatively intimated would not come at present under the notice of parliament; and, independently of other considerations, the complicated interests involved in the subject would, of themselves, have prevented ministers from entering upon it, until they were sure of a full attendance.

On the motion of lord Lauderdale, an Address was voted to his Majesty, praying him to order his



ambassadors and consuls abroad to return notices, with all convenient speed, of the laws at their respective stations regulating the exportation and importation of grain, and the alterations in the duties for the last fifty years.

On the 24th of November, the House having resolved itself into a committee, "to take into consideration the Corn acts," Mr. Huskisson stated the circumstances which had led to the order in council allowing the importation of foreign grain. He said that, as most of the gentlemen whom he was addressing had been resident in the country at the time when that order was promulgated, their own observations, throughout their respective neighbourhoods, would bear testimony to the fact, that the state of the harvest had been such as to justify the expedient adopted by government: for, in no year within the reach of his own experience, had there been so much unanimity of opinion in the reports of the probable issue of the harvest. It was in oats, beans, and peas, that the prospect of failure had been most alarming. On the 4th of August they exceeded 27*s.* 3*d.*, and were still at that price on the 11th. Ministers thought it expedient to wait during the remainder of that month, and by the beginning of September oats had risen to 30*s.* The accounts received at that time from Lancashire, and the very unpromising appearance of the crop of potatoes, were such as to excite not merely alarm, but despair and despondency; and had it not been for the rains which followed, nothing could have saved Ireland from famine. In these circumstances, to which was superadded an increasing difficulty of supplying

ourselves from foreign ports, from the general character of the harvest abroad, ministers would have been unworthy of the trust reposed in them, if they had hesitated to secure the country, so far as security could be obtained, against a scarcity of food. If they had waited till the 15th of November, when by law the ports might have been opened, the consequences would probably have proved most calamitous. From the rapid rise of prices before the first of September—their continued elevation subsequent to that period—the condition of the crops at home—and the discouraging prospects of supply from abroad, he had no difficulty in saying, that the minister, who should have hesitated to advise the admission of foreign grain, would have deserved neither the favour of the monarch, nor that fair and liberal confidence which is reposed in the ministers of the Crown, while parliament is not sitting. He put it to the committee, whether it could be for a moment thought, that any man merited to be trusted by the Crown, or supported by parliament, who could for an instant hesitate to choose between a breach of the law on the one hand, or the risk, nay, the certainty of famine on the other. There was another feature of the case which required notice—he alluded to the duty imposed on the grain admitted, or rather, he should say, undertaken to be paid thereon. The advisers of the Crown, on this occasion, had departed as little as possible from the spirit of the existing Corn-laws; they required the parties importing to pay certain duties—that is, the order in council imposed upon the importers the necessity of entering into an engagement to pay a specified duty, provided that duty



should be sanctioned by parliament; and, in pursuance thereof, bonds had been entered into: therefore, the act necessary to be passed on the present occasion, should not merely indemnify the parties who incurred this responsibility, but should give power to the Crown to recover those duties. Gentlemen might differ as to the amount of duty to be imposed; he had merely to state, that the amount fixed by the order in council was 2*s.* as a permanent duty, and 2*s.* as a temporary duty for the first three months. It was obviously a case in which parliament should not impede indemnity, but rather encourage and sanction similar conduct on like occasions. The committee would observe, that the order in council did not impose the duty; it only required the party to enter into a bond to comply with the duty, if parliament should think fit to sanction it. His majesty's government felt, that it would have been a gross and culpable violation of the first principles of the constitution to have done otherwise, and he trusted that the House would give them credit for being incapable of giving such advice. On the subject of the amount of the duty, he would observe, that he thought it should not have exceeded 2*s.*; for, had 4*s.* been imposed, there could be little doubt, that the importers would have waited until the 15th of November, and taken their chance of being then able to introduce it. In confirmation of this, he would observe, that of the quantity imported, 600,000 quarters of wheat, 150,000 were actually overheld, the owners declining to pay the duty of 2*s.*, and preferring to take their chance on the 15th of November. He had farther to propose to the committee,

that the duty specified by the order in council should continue till the 15th February, when the next averages would be struck, and that, in the mean time, corn should be permitted, on the payment of that duty, to be introduced as it had been done since the issue of the order in council. If the prices were 30*s.* in the harvest time, could they, at this season of the year, hesitate in adopting such a resolution? He concluded by moving two Resolutions—one declaratory of the opinion of the committee, that the parties advising the order in council of the first of September, and acting under the same, should be indemnified; and the other recommending the admission of foreign corn to be permitted, on payment of the duties specified in the said order.

The proposed measure experienced no opposition from any quarter; the agriculturists only protesting that their approbation of this particular step, which they thought had been wisely, if not necessarily, taken, should not be construed into a deviation from opinions on the Corn-laws which they might formerly have expressed. Sir Thomas Lethbridge gave the measure his full concurrence; but, as he would not have assembled parliament at so unusual a period, for the purpose of discussing the general question, so he thought that ministers might have delayed their indemnity till the ordinary time of meeting. Mr. Whitmore considered the whole matter as a new proof of the absurdity of the existing Corn-law. It was a law which it was found necessary every now and then to break, and nobody seemed to think its infringement unconstitutional. Within three years it had been thrice broken;



and he could not conceive why a law should be retained, which it seemed to be even meritorious to violate. The bill having been introduced, passed both Houses without any farther notice.

On the 23rd of November, the House being about to resolve itself into a committee of supply, Mr. Brogden, who, for many years, had been chairman of that committee, declined the honour of being re-elected at present. Among the bubble schemes of 1825, one had been formed for purchasing and working the iron mines of Arigna. Although equally evanescent as most of its perishing companions, it enjoyed for a while, like them, the services of a Board of Directors, and the profits of the sale of fictitious shares. In an evil hour, Mr. Brogden had allowed his name to be set down as a director of the company. It was asserted that the original speculators had agreed to pay 10,000*l.* for the mines; that they had charged them to the company for which they acted as having been purchased for 25,000*l.*; and that the 15,000*l.* thus raised by knavery, had been divided among the directors and their dependents. Alderman Waithman, who seemed to have marked out these speculations as the peculiar objects of his parliamentary castigations, had introduced them into the debate on the address, and had pointed out the omitting all mention of the dishonesty in which they began, and the bankruptcies in which they ended, as one great deficiency in the royal Speech. In particular, he expressly declared, that, if Mr. Brogden should be again proposed to fill the situation which he had recently held, he would oppose his election, until certain transactions, in which he

had been engaged, should have been explained.

Mr. Brogden, on that occasion, stated, in answer to the alderman, the history and particulars of his connection with the Arigna company; admitting that unjustifiable transactions had undoubtedly been resorted to in the conduct of its affairs, but averring his total ignorance of any thing improper having been even contemplated, and confirming his assertion by the fact, that a committee of the very proprietors against whom the fraud had been directed, had, after due inquiry, not only fully acquitted *him*, but reported that he had conducted himself throughout with strict honour and integrity; a judgment which had subsequently been ratified by four or five general meetings of the share-holders. On the motion that the Speaker should leave the chair, with the view of the House resolving itself into a committee of supply, Mr. Brogden now said, that, for two parliaments, he had enjoyed the honour of filling the chair of the committee of ways and means; and, during the whole of that time, he was not conscious of having done any thing contrary to the station which he individually held in society, or derogatory to that with which he had been honoured by the House. However, for some time back, he had been assailed by calumnies and aspersions the most unjustifiable and unfounded: prejudices must naturally have arisen against him, both within and without the walls of parliament; and though he had repelled them in quarters to which he had access—though he had been thanked and applauded for his conduct by those who best knew his character—still the attacks against him had been



so continued and so calumnious, that they seemed intended to drive him altogether from society. In such a situation, then, almost deprived of his character by anonymous publications—standing unlike any other gentleman within that House—seeing that injurious impressions must almost necessarily have been raised against him—he did not wish, without a full investigation and a full acquittal from all such charges, again to offer himself as their chairman. That investigation he now fully and speedily courted, and he hoped the House would do justice to his feelings. All he would now say was, that he was not guilty of the charges alleged against him. For the present, he knew he must bend to the storm; but fair weather would yet come, when he would be able to vindicate his character, and he hoped the opportunity for doing so would soon be given him. Until that trial was over, he would not offer himself to the House; but, of all things he most courted speedy investigation.

On the motion of Mr. Canning, who agreed that the course adopted by Mr. Brogden was required by a sense both of what was due to himself and to the House, sir Alexander Grant was called to the chair. Alderman Waithman now showed little anxiety to proceed with his specific charge; and Mr. Brogden, on the 30th of November, a whole week having elapsed, requested him to explain his intentions, and not to inflict torture by delay. The alderman answered, that his intention was, to propose a general inquiry into all joint-stock companies, and the conduct of their directors, necessarily including the Arigna Mining Company, but he did not desire to mark out any in-

dividual as the subject of particular investigation. However, so many members were under the necessity of being absent from town at this time on their private affairs, that he could not proceed, with any hope of success, in so extensive an investigation, till after the recess.

Mr. Maberly complained, with some warmth, and apparently with some justice, of this procrastinating mode of proceeding. If he had rightly understood the alderman, when, on a former night, he introduced the subject to the House, it appeared to be his intention at first to prefer a charge of a specific nature against the hon. member for Launceston (Mr. Brogden). Afterwards, when he found that hon. gentleman declining to take the chair of the committees of the House, the alderman shifted his ground from a particular charge to an attack of a general nature against all joint-stock schemes, and (it was to be supposed) many members of the House. Was it a fair way of proceeding, to convert a particular insinuation into a general charge? Was the hon. gentleman's character to be attacked and injured, and then the discussion which was expected to arise to be put off? The inquiry should be an immediate, not a remote one.

Accordingly Alderman Waithman moved, on the 5th December, for the appointment of a select committee upon the joint-stock speculations of the last three years. He spoke, at great length, of the number of companies which, during that time, had been erected, amounting to no fewer than six hundred, and requiring, for the execution of their intended operations, a capital of many millions; he complained of the dishonest views with which they were originally



set on foot, the knavery by which a fictitious value was for a time given to shares which had cost nothing, that the solid differences between imaginary prices might fill the pockets of the gambling speculators; and of the misery and ruin produced by this systematic swindling. If a man purchased in the lottery, he knew something of what he was doing; that he was giving a certain sum for a very unlikely chance; and that, in doing so, he was conferring some benefit on government. But the joint-stock gambling was of a much more atrocious kind; it was gambling with false dice. The loss itself on the whole speculation was an evil; but the great and signal grievance was, that the holders of the shares, now worth nothing, were not the losers. The original swindlers worked up the market to the point which they had expected it to attain; then down went the shares; and when they were down, the original swindlers again bought them up, and were now the holders. The Arigna Mining Company, both in its extent and its amount, was small in comparison with some others; but, in looking at the conduct of its directors, it did not appear to be behind any of them in nefarious management. In this company there were 3,000 shares, and the first deposit was 5*l*. The premium upon them rose in one day from 8½ to 24; now, whether this was or was not a trick, he would leave it to the House to determine; then it got to 26, and then again it dropped in one day to 24. Surely such variations could never be fairly caused, and how such proceedings were brought about, he would leave to any one to form an opinion. He would have acted wrong in singling out an

individual who had held a distinguished place in that House, because there were other individuals who were not only implicated, but who appeared to be far more culpable than he. But if he did allude to this individual, and to other members of the House, he did it only in the discharge of his duty; and if his majesty's ministers did theirs, and directed some inquiry to be made, in his mind it would be utterly impossible for some members of that House to retain their seats. The House should bear in mind, that the individuals connected with this company, against whom charges were made, were directors—were trustees—bound to be careful, not so much of their own interests, as of the interests of others which had been committed to them. What, then, were the public to think, if those who were trustees were found guilty of fraud? They were the first to ask how were they to be paid? Why, they were to get two or three guineas daily for sitting at a table, and signing their names as having done so, and to get seven guineas for doing a little more. How were they to be paid? Not by shares: no, so much had been said about shares, that it must not be in this way. Not so; but they were told, “Here is money; put it in your pockets,” and no more. If, then, a gentleman had received 1,047*l*., which he had put into his pocket, but was subsequently told that this sum did not arise from the sale of shares; would he not ask himself, how came it then into his pocket? He could not reply that the “workman was worthy of his hire;” for he had done no work: would he not then, or rather should he not, give the answer which his conscience dictated, and refund the



sum to those from whom it had been taken? In the acts there was no difference: the gentlemen had no shares—they had paid no deposits—yet those persons who were shareholders, and had paid their deposits, but refused, or were unable, to pay more, were shut out, and had no remedy, because those companies had been declared to be illegal. This had been declared in strong terms by the lord chief justice, who had asserted, and settled, that they were illegal; yet, notwithstanding this opinion from such authority, delivered in the clearest and most explicit terms, here were legislators setting themselves up to break the very laws which they themselves had made. If any hon. member would rise in his place, and give it as his opinion, that any individual who had so acted was worthy to sit in the chair at the table of that House, then he would say what no disinterested man would say out of the House. They, the very legislators who made the laws, were the first to break them, and to break them in the most glaring manner. Well, this company was trying to get an act of parliament, and it was at first intended that the sum of 15,000*l.* should be divided between four or five individuals; but, as it was not considered safe so to do, it was then agreed to divide the spoil more extensively. One gentleman put into his pocket 2,500*l.* of this money, and afterwards 1,250*l.* as profit upon shares, yet he had not paid for those shares, and, at this very moment, was indebted to Mr. Clarke 375*l.* for them [Loud cries of name, name]. Mr. Waithman said, he had no objection to name; that individual was sir William Congreve. Here was a member of parliament putting this

sum into his pocket, and obtaining large sums for his brother-in-law, and other individuals—and was not parliament, then, called upon to do something towards an inquiry into conduct that appeared so dishonourable? Never had there been upon parliament a fouler stain. He would venture to say, that the present of 1,000*l.* given to sir W. Trevor, by the city of London, on the passing of the Orphan bill, was nothing to it, or the conduct of Mr. Hutchinson in receiving at the same time a present of twenty guineas, for which he was expelled the House. Surely the House of Commons was bound to make some inquiry.

The Alderman, after some remarks on the conduct of the Equitable Loan Company, moved, “that a select committee be appointed to inquire into the origin, the management, and the present state, of the Joint-stock Companies formed during the years 1824, 1825, and 1826, and to report on the same, together with any special matter touching any member of that House.” The motion was seconded by Mr. Brogden himself.

Mr. Canning objected to the extent of the inquiry, which, he said, to be useful, must be limited and precise. The motion, as it stood, involved many companies, against the utility and management of which no charge had ever been brought. Enough had passed in the House to give strong ground for suspicion that, in the affairs of the Arigna company, there was matter deserving inquiry, the honourable member to whom reference had so frequently been made, having himself admitted that acts had been done for which he could find no defence. But, in consenting to this inquiry, he was



unwilling to extend it further without equally good grounds, or to destroy its very object by the extent and multiplicity of its details. Where sufficient reasons were shown for investigating the history of any other speculation, he would be equally ready to enter upon the inquiry as he now was to enter upon one into the management of the Arigna company. He, therefore, moved an amendment, limiting the committee especially to the management and history of that company.

Mr. Huskisson said, that he could not allow it to go forth to the country that the House approved of the unmeasured condemnation pronounced by the worthy alderman against joint-stock companies of every description. If there was one circumstance to which, more than to another, must be attributed the great advantages derived by commerce in this country, it was the existence of joint-stock companies. The great difference between the manner in which public works were carried on in England, compared with other countries, consisted in this, that here they were under the direction of men who had a deep interest in the success of the undertaking, whilst in other countries they were left to the care of the government, and the expenses were defrayed out of the public revenues. The consequence of this latter mode of conducting public works generally was, that many which, if completed, would tend to the benefit of the public generally, were left unfinished. Many of the great works throughout the country were, originally, very disadvantageous to the projectors, although very beneficial to the public. What greater benefit could a large town enjoy

than that afforded by the New River company? What greater advantage could a large town possess than an ample supply of good water? That work was undertaken by individuals, and carried on, originally, at a great loss to them, but with benefit to the public. Ultimately the work was productive of benefit to those who succeeded the original shareholders; but the public, who originally were benefitted, were also ultimately benefitted. The same might be said of bridges, of canals, and other great works, which distinguished this country from other countries, advanced its commerce, and increased its general wealth. All those works were undertaken by joint-stock companies, and successfully managed, not always for the benefit of the parties who had engaged in them, but always to the advantage of the public. "A greater illusion," said Mr. Huskisson, "cannot exist, than an attempt to cry down joint-stock companies of every description, as positive and public evils. What was the conduct of this House in that respect? Not longer ago than last session, this House countenanced a negotiation with the Bank of England, to induce them to relax a little the monopoly which that establishment enjoys by charter, in order that joint-stock companies should be established in various parts of the country, for the purpose of securing persons engaged in trade, from the loss to which they were exposed by the then existing system of currency. We quoted as an example, Scotland, where the charter of the Bank of Scotland does not prevent the formation of joint-stock companies. I am astonished to hear men of business—I am astonished to hear the



worthy alderman—talk of mining carried on by joint-stock companies as a thing of recent date. I tell those gentlemen—I tell the worthy alderman—that there has not been a mine worked in this country, time out of mind, except by means of joint-stock companies—and without the formation of such companies, those mines would not have been explored. All the mines in Cornwall, all the mines in Wales, and in the other mining districts, are carried on by joint-stock companies. I lament, Sir, very much, that the law is not in a more satisfactory state with respect to those companies. All I say is, that it ought to be the policy of the law to encourage joint-stock companies; that it is a mischievous policy to attempt to dissuade persons from engaging in them, or to take away their character; and that, when embarked in properly and fairly, they are beneficial to the public interests, and fraught with great public advantages. I do not now speak of the bubbles of the last two years. I have no hesitation in saying, that those who have been concerned in those speculations have disgraced themselves, if they knew at the time they engaged in them, that they were not likely to tend to the public benefit. I, for one, can say, that, when the discussions connected with those bubbles took place in this House, I was always ready to raise my hand against them, and to use what little weight or influence I possess, in dissuading the public from connecting themselves with ephemeral schemes, so fraught with fraud and delusion in many, and with obvious risk and hazard in other, instances.”

Mr. Canning's amendment was agreed to without a division, and the committee appointed.

The resolutions of lord John Russel for detecting and suppressing bribery at elections, which had been carried by the casting vote of the Speaker, on the last day of last session, had expired by the dissolution of the parliament which passed them. On the 22nd of November, lord Althorp moved them in the New House of Commons, and expressed his hope that it would not, by now rejecting them, afford a singular contrast between the last session of an old parliament, and the first session of a new one. Mr. Wynn said that he certainly did not dissent in any degree from the principles on which the motion was made, and would always be ready to go into a full scrutiny of facts, wherever there was a distinct, specific, allegation of acts of bribery and corruption. But he differed greatly from the noble mover as to the means by which the object was to be attained; and the resolutions now proposed seemed to him to have several inconveniencies, from which the present practice was free. The best mode which could be adopted was, that of an election petition, upon which any elector could question the return of any member who had been guilty of corruption, who had once offered to commit any act of that description, or who had engaged any other to do so. Instances were not unknown of persons going down as candidates, and, without even tendering a single vote, making such acts the ground of petition to the House. There was another way of considering this subject, which was that, in any case where bribery had been carried on upon an extended scale, it was impossible that evidence could not be brought forward to prove it. There the statute law interfered



with its penalties, and necessarily required indubitable proof. The House, however, was not precluded by the statute law from interfering in another manner, where it had evidence of the commission of acts of corruption, either by electors or the elected, and could proceed by bill, or could disfranchise the borough in which corruption was proved to prevail. These resolutions went, however, to all acts committed for eighteen months previous to the presentation of a petition; and any individual was thus at liberty, without expense or responsibility, to trouble and harrass any member of the House. It was true, to be sure, that a notice was to be sent to the borough, or place, twenty days before the petition was to be considered. But were the parties put upon an equal footing? Was it fair, that any person should be called upon to defend himself against an irresponsible individual? At the time that the Grenville act was introduced, any person could petition the House against a member's return, and what was the consequence? Why, that petitions were repeatedly presented, merely to entitle the petitioners to a seat under the gallery, until the decision upon their petition! That practice continued, until the resolutions were passed respecting such petitions as were declared to be frivolous and vexatious. These were the principal objections he had to the present resolutions, but he also had an objection to the House pledging itself to any specific measures. If the House would entertain all such petitions as were presented, no doubt numbers would be brought before them; and there certainly were parties enough who would tell hon. members they would put them

to considerable expense, and say to them, "It is better for you to buy me off than hazard the decision of a committee of the House of Commons." He believed that the most innocent borough in the kingdom might thus be made an instrument of annoyance to its representative. Under the Grenville act, the decision of the committee was final; but, under these resolutions, there was to be a discussion and decision by the House, after the committee had reported their opinion. He could see no necessity for this complicated machinery merely to work out that for which the present mode was amply sufficient, viz. a full investigation.

Mr. Peel said, he would repeat the opinion which he had given upon this subject last session, that if this new jurisdiction was to be created at all, it had better be created by bill than by resolutions; if there were to be any interference, it would be infinitely wiser to make that interference effective, than to adopt a measure so imperfect and inoperative as those resolutions presented. Was it not a very serious consideration that the committee, forming the tribunal before which this offence was to be tried, was without the power of administering an oath? Here was an imperfection and an evil, for which the resolutions made no provision whatsoever. It was vain to hope that any measure could be salutary or effective in its operation, if deficient in so important a point. A common informer might adopt the intention of instituting such a proceeding as the resolutions contemplated—might, for seventeen months and twenty-nine days, threaten the character of a respectable corporation, and disturb the repose of an unoffending indi-



vidual—might then come forward to prefer an unfounded charge, secure of being indemnified for his expenses, and certain of escaping with impunity, however unjustifiable his conduct in the proceeding might have been. Those resolutions provided no penalty, however flagrant might be the course of proceeding pursued by the informer, or his abettors. If such a tribunal were to be constituted at all, it assuredly ought to be invested with the power of administering an oath.

Mr. Scarlett observed, that the resolutions might very possibly not meet the difficulties which it was desirable should be overcome, but at the same time, he thought the right honourable Secretary had taken rather a partial view of the question. It was alleged, that the parties would be exposed to long delay, and might be open to unjust and injurious imputations—but surely the House had the remedy in its own hands; if it discredited the statements, it might reject the petition. It had been stated, that the accusing party acted under no peril of his own, and this objection he was as willing to admit as any one could desire. Nay, he would go further, and acknowledge that there was no mode of meeting such an inconvenience by any resolutions at all. Considering the subject solely in that point of view, there must be a bill: without a bill no penalty could be inflicted—no costs could be charged—the subject could not be taxed without the consent of the other House of Parliament; but there was this objection to rejecting the resolutions in favour of a bill, that the other House of Parliament might not give its consent to the measure. The Commons had the power of

passing resolutions, which he thought might be so framed as to be effective; but were they sure that, if they introduced a bill, that bill would pass into a law? He admitted that, in their present form, the resolutions were not altogether unobjectionable; but he was persuaded that they might be so modified as to remedy the evil, without certainly going the length of inflicting a penalty, or imposing costs—objects, which could be accomplished only by means of a bill. He thought they might be withdrawn, and again introduced in an amended form.

Lord Althorp adopted the suggestion of Mr. Scarlett, and withdrew the resolutions for the present.

Mr. Littleton, likewise, again proposed the resolutions for the regulation of committees on private bills which had been passed by the late parliament, and they were now adopted with the exception of an additional one; which provided that a party appealing from the decision of the committee should deposit a sum of 500*l*. Mr. Littleton represented this addition to be indispensable, as, without it, all the others would fail of their intended effect. The more plain and simple way would be, to proceed by recognizances, but that would require an act of parliament; and for the course which he had adopted there was a precedent in the deposits made to cover the fees of officers of the House. The resolution was objected to by Mr. Bankes, Mr. Calcraft, and others, as laying an unnecessary hardship upon a poor applicant, who might have to deposit the only money by which he would have been enabled to prosecute his appeal, and as



being a grievous addition to the inconveniencies already arising from the expense of private bills. Mr. Littleton agreed to postpone the consideration of it till after the recess.

There was in London a person of the name of Taylor, who described himself as "reverend," holding, or having held a cure in the county of Suffolk, and a Bachelor of Arts of Cambridge, who had argued himself into a disbelief of all revealed religion. This person prevailed upon Mr. Hume to present a petition to the House of Commons (29th November) professing his disbelief in Christianity, complaining of intolerant persecution, because his oath, as being that of a Deist, who rejected the gospels, could not be received in a court of justice, and praying "that the House would decree that he, and all other persons holding similar opinions, should be entitled to have their evidence received, *by swearing upon the works of nature*, in the same manner as all other testimony is now received from persons sworn upon the gospels." To hold such opinions was no proof of a very sound head; to make such a proposal to an assembly of sensible, educated, legislators, betrayed a melancholy aberration of intellect; to find a person who would not dissuade it, was a great misfortune. Yet the petition containing this miserable trash was presented to the Commons of England by Mr. Hume as being "of considerable importance, from its connexion with the rights of British subjects, and the privileges of civil and religious liberty." Some members spoke of this strange proceeding with great warmth, but Mr. Peel treated it with the only feeling which it deserved. He

wished, he said, to bring back the House to the subject directly before it, and from which he thought their attention was gradually straying. In the discussion which had taken place, there were two questions agitated, and he differed from some honourable members with respect to the propriety of the introduction of one of them at present. The first was, whether the House should agree to the prayer of the petition which had been presented; and the second was, whether that petition should be received at all. On the first, he had a very strong opinion, which, however, he would not at that time express; but, if ever the hon. gentleman followed up the petition by bringing forward a bill to relieve the gentleman who complained to the House from the obligation of an oath, he would be prepared to meet the hon. gentleman, and to contend against him, and those who should support him, for the preservation of our dearest rights, and of the best interests of society. At the same time, he was not prepared to say, that it would be wise to reject the petition altogether, if it was respectfully worded, because the House might not choose to agree to its prayer. He also thought that it would not be right to attribute too much importance to a petition of this description. Whatever honourable members might feel upon the subject, the House should restrain itself from the expression of any opinion upon it at present, and confine itself to the decision of the question which was immediately before it.

The petition was then allowed to be read; but Mr. Hume's further proposal, that it should be printed, was rejected by acclamation.



The last topic which occupied the attention of parliament before the recess, was of a very different kind. John IV., king of Portugal, was succeeded, on his death in the month of March, by his son Don Pedro, emperor of Brazil. The constitution of Brazil had provided that its crown should never be united on the same head with that of the mother country, and Don Pedro found himself called upon to choose between the sovereignty of the European and the South American part of the dominions of his House. Preferring the Transatlantic sceptre, he resigned his European crown to his infant daughter, and appointed a regency to govern during her minority. At the same time, he had remodelled the old political institutions of Portugal, and given to it a constitution in the form of a representative government. This constitution, springing neither from the growing habits nor increased intelligence of the people, and marked in itself with many defects, attracted little notice, and excited no enthusiasm. The party, however, which now ruled in the cabinet of Spain, alarmed at the establishment of any thing connected with liberal institutions in the immediate vicinity of the fabric of ignorance and despotism which they had restored in their own country, resolved not only to impede its progress, but to effect its destruction. In Portugal itself there was a numerous party hostile to the constitution, not uncountenanced by the intrigues of the Queen Dowager and the wishes of Don Miguel, who had been passed over by his brother in the formation of the regency; they had considerable influence among the military, and were themselves

at the command of the priesthood. Their power was first manifested by the desertions of whole regiments from the Portuguese army, which found refuge within the Spanish frontier. By and by the leaders of the conspiracy joined them, and led them back into Portugal, in open war against the regency and the constitution, having proclaimed Don Miguel king, and taken a solemn oath to maintain his rights. The details of their progress belongs more properly to our foreign history: at present it is sufficient to say, that whenever they were compelled, by want, or by the constitutional troops, to re-cross the frontier, they were not only received and protected by the Spanish authorities—but, with the knowledge and authority, and partly at the expense of the Spanish government, they were again organized, armed, provisioned, and sent forth to the invasion of Portugal. To the remonstrances of the British and Portuguese ministers at Madrid the cabinet of Spain answered by lying disavowals, or hollow promises; and, from the beginning of November, the perfidy of its conduct became every week more apparent. The invasion was, to all political intents, an invasion by Spain, and was only rendered more dangerous by the insidiousness of its character. But Britain was bound by treaties to interfere for the defence of Portugal when attacked from without; and, as the danger daily increased, the Portuguese ambassador at London made a formal application to our government, in the beginning of December, for the military assistance which these treaties stipulated. Ministers, having waited for a few days till



the conduct of Spain had been placed beyond a doubt, instantly took a decisive resolution. It was impossible, with good faith, to resist a demand which rested upon such grounds, and succour could be useful only by being prompt. On the 11th of December, utterly unexpected by the country at large, lord Bathurst in the House of Peers, and Mr. Canning in the Commons, presented the following message from his Majesty.

“His Majesty acquaints the House of Lords and Commons, that his Majesty has received an earnest application from the Princess Regent of Portugal, claiming, in virtue of the ancient obligations of alliance and amity, subsisting between his Majesty and the Crown of Portugal, his Majesty’s aid against hostile aggression from Spain.

“His Majesty has exerted himself, for some time past, in conjunction with his Majesty’s ally, the King of France, to prevent such aggression; and repeated assurances have been given by the Court of Madrid of the determination of his Catholic Majesty neither to commit, nor to allow to be committed, from his Catholic Majesty’s territory, any aggression against Portugal.

“But his Majesty has heard with deep concern, that, notwithstanding these assurances, hostile inroads into the territory of Portugal have been concerted in Spain, and have been executed under the eyes of the Spanish authorities by Portuguese regiments, which had deserted into Spain, and which the Spanish government had repeatedly and solemnly engaged to disarm and disperse.

“His Majesty leaves no effort unexhausted to awaken the Spanish government to the dangerous con-

sequences of this apparent connivance.

“His Majesty makes this communication to the House of Lords and Commons, with the full and entire confidence that the House of Lords and his faithful Commons will afford to his Majesty their cordial concurrence and support, in maintaining the faith of treaties, and in securing against foreign hostility, the safety and independence of the kingdom of Portugal, the oldest ally of Great Britain.”

On the following day an Address, in answer to the Message, was moved in both Houses. In the Commons it was moved by Mr. Canning.

“In proposing to the House of Commons,” said he, “to reply to his Majesty’s Message, in terms which will be, in effect, an echo of the sentiments, and a fulfilment of the anticipations of that Message, I feel that it becomes me as a British minister, recommending to parliament any step which may approximate this country even to the hazard of a war, while I explain the grounds of that proposal, to accompany my explanation with expressions of regret.

“Among the alliances by which, at different periods of our history this country has been connected with the other nations of Europe, none is so ancient in origin, and so precise in obligation—none has continued so long, and been observed so faithfully—of none is the memory so intimately interwoven with the most brilliant records of our triumphs, as that by which Great Britain is connected with Portugal. It dates back to distant centuries; it has survived an endless variety of fortunes. Anterior in existence to the accession of the House of Braganza to the throne of Portugal



—it derived, however, fresh vigour from that event ; and never, from that epoch to the present hour, has the independent monarchy of Portugal ceased to be nurtured by the friendship of Great Britain. This alliance has never been seriously interrupted ; but it has been renewed by repeated sanctions. It has been maintained under difficulties by which the fidelity of other alliances was shaken, and has been vindicated in fields of blood and of glory.

“ It is not at distant periods of history, and in by-gone ages only, that the traces of the union between Great Britain and Portugal are to be found. In the last compact of modern Europe, the compact which forms the basis of its present international law—I mean the treaty of Vienna of 1815—this country, with its eyes open to the possible inconveniences of the connection, but with a memory awake to its past benefits—solemnly renewed the previously existing obligations of alliance and amity with Portugal. The third article of the treaty concluded at Vienna in 1815, between Great Britain on the one hand, and Portugal on the other, is couched in the following terms : — ‘ The Treaty of Alliance concluded at Rio de Janeiro, on the 19th of February, 1810, being founded on circumstances of a temporary nature, which have happily ceased to exist, the said Treaty is hereby declared to be void in all its parts and of no effect ; without prejudice however, to the ancient Treaties of alliance, friendship, and guarantee, which have so long and so happily subsisted between the two Crowns, and which are hereby renewed by the High Contracting Parties, and acknowledged to be of full force and effect.’

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“ What, then, is the force—what is the effect of those ancient treaties ? If all the treaties to which this article of the treaty of Vienna refers, had perished by some convulsion of nature, or had, by some extraordinary accident, been consigned to total oblivion, still it would be impossible not to admit, as an incontestable inference from this article of the treaty of Vienna alone, that in a moral point of view, there is incumbent on Great Britain, a decided obligation to act as the effectual defender of Portugal. If I could not show the letter of a single antecedent stipulation, I should still contend that a solemn admission, only ten years old, of the existence at that time of ‘ Treaties of Alliance, Friendship, and Guarantee,’ held Great Britain to the discharge of the obligations which that very description implies. But fortunately there is no such difficulty in specifying the nature of those obligations. The preceding treaties are so numerous, and their general result is so uniform, that it may be sufficient to select only two of them to show the nature of all.

“ The treaty of 1661, which was concluded at the time of the marriage of Charles the 2nd with the Infanta of Portugal, after reciting the marriage, and making over to Great Britain, in consequence of that marriage, first, a considerable sum of money, and secondly, several important places ; runs thus : — ‘ In consideration of all which grants, so much to the benefit of the King of Great Britain, and his subjects in general, and of the delivery of those important places to his said Majesty, and his heirs for ever, &c. the King of Great Britain does profess and declare, with the consent and advice of his council, that he will

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take the interest of Portugal and all its dominions to heart, defending the same with his utmost power, by sea and land, even as England itself:—and it then proceeds to specify the succours to be sent, and the manner of sending them.

“The treaty of 1703 was a tripartite engagement between the States-general of Holland, England, and Portugal. The second article of that treaty sets forth, that ‘if ever it shall happen that the Kings of Spain and France, either the present or the future, that both of them together, or either of them separately, shall make war, or give occasion to suspect that they intend to make war, upon the kingdom of Portugal, either on the continent of Europe, or on its dominions beyond seas; her majesty the queen of Great Britain, and the lords the States-general, shall use their friendly offices with the said kings, or either of them, in order to persuade them to observe the terms of peace towards Portugal, and not to make war upon it.’ The third article declares, that, in the event of these ‘good offices not proving successful, but altogether ineffectual, so that war should be made by the aforesaid kings, or by either of them, upon Portugal, the above mentioned powers of Great Britain and Holland, shall make war with all their force, upon the foresaid kings or king who shall carry hostile arms into Portugal: and towards that war which shall be carried on in Europe, they shall supply 12,000 men, whom they shall arm and pay, as well when in quarters as in action; and the said High Allies shall be obliged to keep that number of men complete,

by recruiting it from time to time at their own expense.’

“It is not, however, on specific articles alone—it is not so much, perhaps, on either of these ancient treaties taken separately—as it is on the spirit and understanding of the whole body of treaties, of which the essence is concentrated and preserved in the treaty of Vienna, that we acknowledge in Portugal a right to look to Great Britain as her ally and defender. This being the state, morally and politically, of our obligations towards Portugal, it is obvious that when Portugal, in apprehension of the coming storm, called on Great Britain for assistance, the only hesitation on our part could be—not whether that assistance was due, supposing the occasion for demanding it to arise—but simply, whether that occasion—in other words, whether the *casus fœderis*—had arisen.

“In our opinion it had. Bands of Portuguese rebels, armed, equipped, and trained, in Spain, had crossed the Spanish frontier, carrying terror and devastation into their own country, and proclaiming sometimes the brother of the reigning sovereign of Portugal, sometimes a Spanish princess, and sometimes even Ferdinand of Spain, as the rightful occupant of the Portuguese throne. These rebels crossed the frontier, not at one point only, but at several points: for it is remarkable, that the aggression, on which the original application to Great Britain for succour was founded, is not the aggression with reference to which that application has been complied with. The attack announced by the French newspapers was on the north of Portugal, in the province of Tras-os-Montes; an official ac-



count of which has been received by his majesty's government only this day. But on Friday an account was received of an invasion in the south of Portugal, and of the capture of Villa Viciosa, a town lying on the road from the southern frontier to Lisbon. This new fact established even more satisfactorily than a mere confirmation of the attack first complained of would have done, the systematic nature of the aggression from Spain against Portugal. One hostile irruption might have been made by some single corps escaping from their quarters,—by some body of stragglers, who might have evaded the vigilance of Spanish authorities; and one such accidental and unconnected act of violence might not have been conclusive evidence of cognizance and design on the part of those authorities. But when a series of attacks are made along the whole line of a frontier, it is difficult to deny that such multiplied instances of hostility are evidence of concerted aggression.

“If a single company of Spanish soldiers had crossed the frontier in hostile array, there could not be a doubt as to the character of that invasion. Shall bodies of men, armed, clothed, and regimented by Spain, carry fire and sword into the bosom of her unoffending neighbour, and shall it be pretended that no attack, no invasion has taken place, because, forsooth, these outrages are committed against Portugal by men to whom Portugal had given birth and nurture? What petty quibbling would it be, to say that an invasion of Portugal from Spain was not a Spanish invasion, because Spain did not employ her own troops, but hired mercenaries to effect her purpose? And what difference is it, except as aggrava-

tion, that the mercenaries in this instance were natives of Portugal?

“The vote for which I call, is a vote for the defence of Portugal, not a vote for war against Spain. Unjustifiable as I shall show the conduct of Spain to have been—contrary to the law of nations, and of good neighbourhood, of God and of man, still I do not mean to preclude a *locus pœnitentiæ*, a possibility of redress and reparation. It is our duty to fly to the defence of Portugal, be the assailant who he may. In thus fulfilling the stipulations of ancient treaties, of the existence and obligation of which all the world are aware, we, according to the universally admitted construction of the law of nations, neither make war upon that assailant, nor give to that assailant, much less to any other power, just cause of war against ourselves.

“In some quarters, it has been imputed to his majesty's ministers, that an extraordinary delay intervened between the taking of the determination to give assistance to Portugal, and the carrying of that determination into effect. But how stands the fact? On Sunday, the 3rd of this month, we received from the Portuguese ambassador a direct and formal demand of assistance against a hostile aggression from Spain. Our answer was—that although rumours had reached us through France, his majesty's government had not that accurate information—that official and precise intelligence of facts—on which they could properly found an application to parliament. It was only on last Friday night that this precise information arrived. On Saturday his majesty's confidential servants came to a decision. On Sunday that de-



cision received the sanction of his majesty. On Monday it was communicated to both Houses of Parliament—and this day, Sir—at the hour in which I have the honour of addressing you—the troops are on their march for embarkation.

“As to the merits of the new constitution of Portugal, I have neither the intention, nor the right, to offer any opinion. Personally, I may have formed one; but as an English minister, all I have to say is—‘May God prosper this attempt at the establishment of constitutional liberty in Portugal! and may that nation be found as fit to enjoy and to cherish its new-born privileges, as it has often proved itself capable of discharging its duties amongst the nations of the world!’

“I am neither the champion nor the critic of the Portuguese constitution. But it is admitted on all hands to have proceeded from a legitimate source—and to us, as Englishmen, it is recommended by the ready acceptance which it has met with from all orders of the Portuguese people. To that constitution it is impossible that Englishmen should not wish well. But it would not be for us to force it on the people of Portugal, if they were unwilling to receive it—or if any schism should exist amongst the Portuguese themselves, as to its fitness and congeniality to the wants and wishes of the nation. It is no business of ours to fight its battles. We go to Portugal in the discharge of a sacred obligation, contracted under ancient and modern treaties. When there, nothing shall be done by us to enforce the establishment of the constitution—but we must take care that nothing shall be done by others to prevent it from being

fairly carried into effect. Internally, let the Portuguese settle their own affairs; but with respect to external force, while Great Britain has an arm to raise, it must be raised against the efforts of any power that should attempt forcibly to control the choice, and fetter the independence, of Portugal.

“Has such been the intention of Spain? Whether the proceedings which have lately been practised or permitted in Spain, were acts of a government exercising the usual power of prudence and foresight, (without which a government is for the good of the people which live under it no government at all), or whether they were the acts of some secret illegitimate power—of some furious fanatical faction, over-riding the councils of the ostensible government, defying it in the capital, and disobeying it on the frontiers—I will not stop to inquire. It is indifferent to Portugal, smarting under her wrongs—it is indifferent to England, who is called upon to avenge them—whether the present state of things be the result of the intrigues of a faction, over which, if the Spanish government has no control, it ought to assume one as soon as possible—or of local authorities, over whom it has control, and for whose acts it must, therefore, be held responsible. It matters not, I say, from which of these sources the evil has arisen. In either case, Portugal must be protected; and from England that protection is due.

“Great desertions took place from the Portuguese army into Spain, and some desertions took place from the Spanish army into Portugal. In the first instance, the Portuguese authorities were taken



by surprise ; but, in every subsequent instance, where they had an opportunity of exercising a discretion, it is but just to say, that they uniformly discouraged the desertions of the Spanish soldiery. There exist between Spain and Portugal specific treaties, stipulating the mutual surrender of deserters. Portugal had, therefore, a right to claim of Spain that every Portuguese deserter should be forthwith sent back. I hardly know whether from its own impulse, or in consequence of our advice, the Portuguese government waved its right under those treaties ; very wisely reflecting, that it would be highly inconvenient to be placed by the return of their deserters, in the difficult alternative of either granting a dangerous amnesty, or ordering numerous executions. The Portuguese government, therefore, signified to Spain that it would be entirely satisfied if, instead of surrendering the deserters, Spain would restore their arms, horses, and equipments ; and, separating the men from their officers, would remove both from the frontiers into the interior of Spain. Solemn engagements were entered into by the Spanish government to this effect—first with Portugal, next with France, and afterwards with England. Those engagements, concluded one day, were violated the next. The deserters, instead of being disarmed and dispersed, were allowed to remain congregated together near the frontiers of Portugal ; where they were enrolled, trained, and disciplined, for the expedition which they have since undertaken. It is plain that in these proceedings, there was perfidy somewhere. It rests with the Spanish government to show, that it was not with them—it rests

with the Spanish government to prove, that if its engagements have not been fulfilled—if its intentions have been eluded and unexecuted, the fault has not been with the government ; and that it is ready to make every reparation in its power.

“ I have said that these promises were made to France and to Great Britain, as well as to Portugal. I should do a great injustice to France if I were not to add, that the representations of that government upon this point, with the cabinet of Madrid, have been as urgent, and, alas ! as fruitless, as those of Great Britain. Upon the first irruption into the Portuguese territory, the French government testified its displeasure by instantly recalling its ambassador ; and it further directed its chargé d'affaires to signify to his Catholic majesty, that Spain was not to look for any support from France against the consequences of this aggression upon Portugal. I am bound, I repeat, in justice to the French government, to state, that it has exerted itself to the utmost, in urging Spain to retrace the steps which she has so unfortunately taken. It is not for me to say whether any more efficient course might have been adopted to give effect to their exhortations : but as to the sincerity and good faith of the exertions made by the government of France, to press Spain to the execution of her engagements, I have not the shadow of a doubt : —and I confidently reckon upon their continuance.

“ There are reasons which entirely satisfy my judgment that nothing short of a point of national faith or national honour, would justify at the present moment, any voluntary approximation to the possi-



bility of war. Let me be understood, however, distinctly, as not meaning to say that I dread war in a good cause (and in no other may it be the lot of this country ever to engage!), from a distrust of the strength of the country to commence it, or of her resources to maintain it. I dread it, indeed,—but upon far other grounds: I dread it from an apprehension of the tremendous consequences which might arise from any hostilities in which we might now be engaged. Some years ago, in the discussion of the negotiations respecting the French war against Spain, I stated that the position of this country in the present state of the world, was one of neutrality, not only between contending nations, but between conflicting principles; and that it was by neutrality alone that we could maintain that balance, the preservation of which, I believed to be essential to the welfare of mankind. I then said, that I feared that the next war which should be kindled in Europe, would be a war not so much of armies, as of opinions. Not four years have elapsed, and behold my apprehension realised! It is, to be sure, within narrow limits that this war of opinion is at present confined: but it is a war of opinion, that Spain (whether as government or as nation) is now waging against Portugal; it is a war which has commenced in hatred of the new institutions of Portugal. How long is it reasonable to expect that Portugal will abstain from retaliation? If into that war this country shall be compelled to enter, we shall enter into it, with a sincere and anxious desire to mitigate rather than exasperate, and to mingle only in the conflict of arms, not in the more fatal conflict of

opinions. But I much fear that this country (however earnestly she may endeavour to avoid it) could not, in such case, avoid seeing ranked under her banners all the restless and dissatisfied of any nation with which she might come in conflict. It is the contemplation of this new power, in any future war, which excites my most anxious apprehension. It is one thing to have a giant's strength, but it would be another to use it like a giant. The consciousness of such strength is, undoubtedly, a source of confidence and security; but in the situation in which this country stands, our business is, not to seek opportunities of displaying it, but to content ourselves with letting the professors of violent and exaggerated doctrines on both sides feel, that it is not their interest to convert an umpire into an adversary. The situation of England, amidst the struggle of political opinions which agitates more or less sensibly different countries of the world, may be compared to that of the ruler of the winds, as described by the poet:—

—‘Celsâ sedet Æolus arce,  
Sceptra tenens; mollitque animos et  
temperat iras;  
Ni faciat, maria ac terras cælumque  
profundum  
Quippe ferant rapidi secum, verrantque  
per auras.’

The consequence of letting loose the passions at present chained and confined, would be to produce a scene of desolation which no man can contemplate without horror; and I should not sleep easy on my couch, if I were conscious that I had contributed to precipitate it by a single moment. This is the reason—a reason very different from fear—the reverse of a consciousness of disability—why I dread the recurrence of hostilities in any



part of Europe ; why I would bear much, and forbear long ; why I would put up with almost any thing that did not touch national faith and national honour—rather than let slip the furies of war, the leash of which we hold in our hands—not knowing whom they may reach, or how far their ravages may be carried. Such is the love of peace which the British government acknowledges ; and such the necessity for peace which the circumstances of the world inculcate. Let us fly to the aid of Portugal, by whomsoever attacked ; because it is our duty to do so : and let us cease our interference where that duty ends. We go to Portugal, not to rule, not to dictate, not to prescribe constitutions—but to defend and to preserve the independence of an ally. We go to plant the standard of England on the well-known heights of Lisbon. Where that standard is planted, foreign dominion shall not come.”

Mr. Canning sat down much exhausted, amid loud cheers from all sides of the House.

The Speaker read the Address, which was received with great applause, and put the question that it be adopted.

Sir Robert Wilson supported the address ; at the same time adding, that, in his opinion, Great Britain was bound to require of France, that she should march her troops out of Spain, as a first step to the defence of Portugal. She had entered Spain merely to release the king, and to restore peace, and that object had long ago been accomplished.

Mr. Hume rose amid loud murmurs, and opposed the Address, principally on the ground that this country was not in a situation

to enter upon, and long maintain, a war on a great scale. It was highly inconsistent in Mr. Canning, who was the advocate of peace in 1823, to precipitate the country into a war now, without either affording sufficient time for deliberation, or establishing a case of unavoidable necessity to enter into it. The hon. member moved an amendment, “that the House be called over this day week.”

Mr. Wood, member for Preston, seconded the amendment.

Mr. Baring did not see how the ministers could have adopted any other course than that for which they now asked the sanction of the House. He could not help regretting that government had looked so passively on the invasion of Spain in 1823. If, at that time, the same resolution had been shewn in the case of Spain, as was at this time in the case of Portugal, Europe would have been saved from that calamity into which, at some time or other, he firmly believed that an invasion would draw it. He could not view the possession of Spain by France, continued year after year, without feeling that it was extremely dangerous to this country. To what degree the war, once commenced, might spread, in point of expense and extent, there was no saying beforehand. But, keeping in mind the taxes which had been repealed since the conclusion of the war, he denied that the pressure at this time could be such as to render us incapable of bearing the burthens war might bring upon us.

Mr. Bankes, senior, was of opinion that the House should be assured that the war was quite indispensable, before they rushed into it. He was not satisfied that such was the case. The disturb-



ances in Portugal were of a political character, and connected with its internal arrangements. He did not shrink from war because he despaired of the resources of the country, and, therefore, he would not support the amendment, but neither could he vote for the original motion.

Mr. Brougham supported the Address. Adverting to the ground on which the amendment was principally supported, he said, "The hon. members (Messrs. Hume and Wood) must recollect, and the House and the country must bear in mind, that the question is not at present, whether, even at the expense of your character for good faith, you will consent to bear hereafter among mankind a stained reputation, and a forfeited honour. The question is not whether you will do so, and by so doing avert a war. I should say no, even if this choice were within your reach; but the question is whether, for a little season of miserable, insecure, precarious, dishonourable, unbearable truce.—I cannot call it peace, for it has nothing of the honour and the comfort which make the name of peace proverbially sweet—I say, the question is, whether for this wretched, precarious, disgusting, and intolerable postponement of hostilities, you will be content hereafter to have recourse to war, when war can no longer be avoided, and when its horrors will fall upon you—degraded and ruined in character in the eyes of all the nations of Europe, and, what is ten thousand times worse, degraded and ruined in your own. I say, Sir, degraded and ruined in reputation, and what may appear worse to those to whose minds such topics do not find so easy an access, the war will fall with tenfold weight

upon our resources; for a small sum spent now in due time, may be the means of saving us an expenditure of ten times that amount, with interest—aye, and compound interest accumulated upon it. In the principles, now adopted and avowed by the organs of our government, we have a strong and impregnable bulwark, which will enable us not only to support our burthens, and, should the day of trial come upon us, to meet the combined world in arms, but which will afford the strongest practical security against future danger; and render it eminently improbable that we shall ever have that combined world to contend with, so long as those principles are maintained. Our burthens may remain, but our government know that when the voice of the people is in their favour, they have a lever, if not within their hands, within their grasp."

Mr. Bright contended, that no act of aggression against Portugal had been avowed by Spain, and that consequently no *casus fœderis* existed. The occupation of Portugal by five thousand men would amount to nothing more than an armed neutrality. Now, by the terms of the treaty, we were bound to assist Portugal only in the event of actual hostilities having been commenced, and then we were bound to attack Spain with all our might.

Mr. Canning's reply was even more eloquent than his opening speech.

"The hon. gentleman" (Mr. Bright) he said, "who spoke last, in his extreme love for peace, proposes expedients, which would render war inevitable. He would avoid interference at this moment, when Spain may be yet hesitating as to



the course which she shall adopt ; and the language which he would hold to Spain is, in effect this— ‘ You have not yet done enough to implicate British faith, and to provoke British honour. You have not done enough, in merely enabling Portuguese rebels to invade Portugal, and to carry destruction into her cities ; you have not done enough in combining knots of traitors, whom—after the most solemn engagements to disarm and to disperse them—you carefully re-assembled, and equipped and sent back with Spanish arms, to be plunged into kindred Portuguese bosoms. I will not stir for all these things. Pledged though I am by the most solemn obligations of treaty to resent attack upon Portugal as injurious to England, I love too dearly the peace of Europe, to be goaded into activity by such trifles as these.—No.—But give us a good declaration of war, and then I’ll come and fight you with all my heart.’—This is the hon. gentleman’s contrivance for keeping peace. The more clumsy contrivance of his majesty’s government is this :—‘ We have seen enough, to show to the world that Spain authorised, if she did not instigate, the invasion of Portugal ; and we say to Spain, Beware, we will avenge the cause of our ally, if you break out into declared war ; but, in the mean time, we will take effectual care to frustrate your concealed hostilities.’ Who would not prefer this course of his majesty’s government, the object of which is to nip growing hostilities in the ear, to that of the chivalrous member for Bristol, who would let aggressions ripen into full maturity, in order that they may then be mowed down with the scythe of a magnificent war ?

“ An amendment has been proposed, purporting a delay of a week, but, in effect, intended to produce a total abandonment of the object of the address ; and that amendment has been justified by a reference to the conduct of the government and to the language used by me in this House between three and four years ago. It is stated, and truly, that I did not then deny that cause for war had been given by France in the invasion of Spain, if we had then thought fit to enter into war on that account. But it seems to be forgotten that there is one main difference between that case and the present,—which difference, however, is essential and all-sufficient. We were then to go to war, if we pleased, on grounds of political expediency. But we were not then bound to interfere, on behalf of Spain, as we now are bound to interfere on behalf of Portugal, by the obligations of treaty. War might then have been our free choice, if we had deemed it politic : interference on behalf of Portugal is now our duty, unless we are prepared to abandon the principles of national faith and national honour. It is a singular confusion of intellect which confounds two cases so precisely dissimilar. Far from objecting to the reference to 1823, I refer to that same occasion to show the consistency of the conduct of myself and my colleagues. We were then accused of truckling to France, from a pusillanimous dread of war. We pleaded guilty to the charge of wishing to avoid war. We described its inexpediency, its inconveniencies, and its dangers,—(dangers, especially of the same sort with those which I have hinted at to-day) but we declared that, al-



though we could not overlook those dangers, those inconveniencies, and that inexpediency, in a case in which remote interest and doubtful policy were alone assigned as motives for war, we would cheerfully affront them all, in a case—if it should arrive—where national faith or national honour were concerned. Well, then—a case has now arisen, of which the essence is faith, of which the character is honour; and, when we call upon parliament, not for offensive war,—which was proposed to us in 1823—but for defensive armament; we are referred to our abstinence in 1823, as disqualifying us for exertion at the present moment, and are told, that, because we did not attack France on that occasion, we must not defend Portugal on this. I, Sir, like the proposers of the amendment, place the two cases of 1823 and 1826, side by side, and deduce from them, when taken together, the exposition and justification of our general policy. I appeal from the warlike preparations of to-day, to the forbearance of 1823, in proof of the pacific character of our counsels;—I appeal from the imputed tameness of 1823, to the message of to-night, in illustration of the nature of those motives, by which a government, generally pacific, may nevertheless be justly roused into action.

“It has been suggested, Sir, that we should at once ship off the Spanish refugees, now in this country, for Spain; and that we should, by the repeal of the Foreign Enlistment act, let loose into the contest all the ardent and irregular spirits of this country. Such expedients I disclaim. I dread and deprecate the employment of them. So far, indeed, as Spain herself is

concerned, the employment of such means would be strictly, I might say epigrammatically, just. The Foreign Enlistment act was passed in the year 1819, if not at the direct request, for the especial benefit, of Spain. What right, then, would Spain have to complain if we should repeal it now, for the especial benefit of Portugal?—The Spanish Refugees have been harboured in this country, it is true; but, on condition of abstaining from hostile expeditions against Spain: and more than once, when such expeditions have been planned, the British government has interfered to suppress them. How is this tenderness for Spain rewarded?—Spain not only harbours, and fosters, and sustains, but arms, equips, and marshals the traitorous refugees of Portugal, and pours them by thousands into the bosom of great Britain's nearest ally. So far, then, as Spain is concerned, the advice of those who would send forth against Spain such dreadful elements of strife and destruction, is, as I have admitted, not unjust. But I repeat, again and again, that I disclaim all such expedients;—and that I dread especially a war with Spain, because it is the war of all others in which, by the example and practice of Spain herself, such expedients are most likely to be adopted. Let us avoid that war if we can,—that is, if Spain will permit us to do so. But in any case, let us endeavour to strip any war—if war we must have—of that most formidable and disastrous character the hon. and learned gentleman (Mr. Brougham) has so eloquently described, and which I was happy to hear him concur with me in deprecating, as the most fatal evil by which the world could be afflicted.



“Two honourable members insist that the French army in Spain has been, if not the cause, the encouragement, of the late attack by Spain against Portugal; that his majesty’s government were highly culpable in allowing that army to enter into Spain, that its stay there is highly injurious to British interests and honour, and that we ought instantly to call upon France to withdraw it.

“I do not see how the withdrawing the French troops from Spain could effect our present purpose. The French army in Spain is now a protection to that very party which it was originally called in to put down. Were the French army suddenly removed at this precise moment, I verily believe that the immediate effect of that removal would be, to give full scope to the unbridled rage of a fanatical faction, before which, in the whirlwind of intestine strife, the party least in numbers would be swept away.

“So much for the immediate effect of the demand which it is proposed to us to make, if that demand were instantly successful. But, when with reference to the larger question of a military occupation of Spain by France, it is averred, that, by that occupation, the relative situation of Great Britain and France is altered; that France is thereby exalted and Great Britain lowered, in the eyes of Europe:—I dissent from that averment.

“I do not blame those exaggerations; because I am aware that they are to be attributed to the recollections of some of the best times of our history; that they are the echoes of sentiments, which, in the days of William and of Anne, animated the debates and dictated the votes of the British

parliament. No peace was in those days thought safe for this country while the crown of Spain continued on the head of a Bourbon. But were not the apprehensions of those days greatly over-stated? And is the Spain of the present day the Spain of which the statesmen of the times of William and Anne were so much afraid? Is it indeed, the nation whose puissance was expected to shake England from her sphere? No, Sir, it was quite another Spain—it was the Spain, within the limits of whose empire the sun never set—it was Spain “with the Indies” that excited the jealousies and alarmed the imaginations of our ancestors.

“It would be disingenuous, indeed, not to admit that the entry of the French army into Spain was, in a certain sense, a disparagement—an affront to the pride, a blow to the feelings, of England:—and it can hardly be supposed that the government did not sympathize, on that occasion, with the feelings of the people. But I deny, that, questionable or censurable as the act might be, it was one which necessarily called for our direct and hostile opposition. Was nothing then to be done?—Was there no other mode of resistance, than by a direct attack upon France—or by a war to be undertaken on the soil of Spain? What, if the possession of Spain might be rendered harmless in rival hands—harmless as regarded us—and valueless to the possessors? Might not compensation for disparagement be obtained, and the policy of our ancestors vindicated, by means better adapted to the present time? If France occupied Spain, was it necessary, in order to avoid the consequences of that occupation,—that we should blockade Cadiz? No. I looked



another way—I sought materials of compensation in another hemisphere. Contemplating Spain, such as our ancestors had known her, I resolved that if France had Spain, it should not be Spain ‘with the Indies.’ I called the New World into existence, to redress the balance of the Old.

“Once more I declare, that the object of the address, which I propose is not war: its object is to take the last chance of peace. If you do not go forth, on this occasion to the aid of Portugal, Portugal will be trampled down, to your irretrievable disgrace:—and then will come war in the train of national degradation. If, under circumstances like these, you wait till Spain has matured her secret machinations into open hostility, you will in a little while have the sort of war required by the pacificators:—and who shall say where that war will end?”

The Amendment was put and negatived, there appearing only three or four supporters for Mr. Hume’s proposition. The original question was then put and carried, with only the same number of dissentients.

On the same night, in the House of Lords, a similar address was moved by lord Bathurst, and seconded by lord Holland. The duke of Wellington spoke next; beginning by expressing a hope that it would be permitted to him, who for many years had had the direction of the resources of both the countries which formed the subject of discussion, against the common enemy, to lament that any necessity should arise for our interference between them. He also hoped, that the measures which called for our interference, were more to be attributed to the per-

fidious conduct of the servants of the king of Spain, to the captains-general of provinces, and to inferior ministers, than to his Catholic majesty. Whether, however, they proceeded from the one or the other, he could not possibly see bodies of troops on both sides of the Douro, and on the south of the Tagus and the Guadiana, at the same time, all armed by the Spanish authorities, without immediately perceiving that there must be a concurrence of the Spanish government. Under the circumstances, therefore, of this preconcerted invasion of the Portuguese territory, he was of opinion, that the *casus fœderis* did clearly exist. War, however, might still be prevented; and he hoped for the cordial assistance of France, by negotiations, in preventing the breaking out of hostilities, in bringing his Catholic majesty to a just sense of his own danger, to a proper feeling of what was due both to his dignity and his interest, and to the obligations of good faith.

Lord Lansdowne also declared his full approbation of the proposed measure; and the address was carried without a dissentient voice.

The unanimity which prevailed in parliament on this decisive measure, was not more perfect than was the universal concurrence of sentiment regarding it, which existed throughout the country. The reasons on which it was founded, and the promptitude with which it had been adopted, inspired confidence; the ardour, the manliness, the deep tone of generous feeling with which it had been defended, excited esteem and admiration. Never were a government and its subjects in more complete unison. The activity of the public offices



kept pace with the wishes of both ; an armament consisting of five thousand men, under the command of sir William Clinton, was equipped in an almost incredibly short space of time. Even the winds of heaven seemed to favour the enterprise. Mr. Canning pronounced his speech in the House of Com-

mons on the 12th of December, and on Christmas day, the ship, which carried the first detachment of the British army, cast anchor in the waters of the Tagus.

On the 13th of December, the House adjourned till the 8th of February.



## CHAP. VIII.

INDIA—*Re-commencement of Hostilities with the Burmese—Military Operations in the neighbourhood of Prome—British Army advances to Melloone—Conferences and Terms of Peace accepted—The Treaty not being ratified, the Army takes Melloone—The Army advances to Pagahm-men—Battle there—A Treaty concluded and ratified—Siege and Capture of Bhurtpore by Lord Combermere.*—AFRICA—*Defeat of the Ashantees.*

THE armistice which had been concluded on the 17th September, 1825, between the British and Burmese commanders, was not employed by the court of Ava in any serious negotiations for peace, but in collecting forces for a vigorous prosecution of the war. By the second article of the amnesty it had been agreed that a commissioner from Ava, with full powers, should meet the British authorities, on the 2nd of October, half way between Prome and Meaday, the stations of the respective armies, to treat of the re-establishment of peace. These conferences took place on the plain of Neounben-zeik, the negotiators on each side being accompanied by a train of five hundred men, as the dignity of the prime minister of Ava did not allow him to move with a smaller retinue. The Burmese commissioners displayed ostensibly the most amicable dispositions; were anxious in their inquiries after the health of his majesty of England, and the latest news; uniformly spoke of Britain and Ava, as the "two great and civilized nations," and scrupulously avoided every thing which might be construed into an acknowledgment of inferiority. They endeavoured

to exculpate their monarch from any blame on account of the hostile acts committed in Arracan, which had led to the war, by assurances that they had been committed without his authority or consent, and that the remonstrances of the Indian government had been kept from his knowledge. In the terms of peace which were proposed, they quarrelled principally with the demands for a cession of part of their territory, and an indemnification in money for the expenses of the war, and laboured hard to have them withdrawn, at least in the mean time, gravely holding out such considerations as this, that the dignity of the king of Ava did not allow him to submit to terms imposed upon him by a present force, but that, so soon as the Indian government should have withdrawn their army from the country, there was nothing which his generosity would not concede to them. Being unable to obtain any modification of the terms, they desired, and obtained, an extension of the armistice for twenty days, that they might have time to transmit them to Ava, and receive new instructions. The extension of the armistice, although proposed by the



enemy merely to gain time, was no sacrifice on the part of the British commander ; for the season and the state of the country would not have permitted him to take the field at an earlier period.

On receiving the proposed terms of peace, his majesty of the Golden Foot broke out into the most intemperate bursts of impotent passion, and gave orders to his generals immediately to renew offensive operations. His vigorous preparations had again collected in the neighbourhood of Meaday, an army of between 50,000 and 60,000 men. He had sent down from Ava, a veteran leader of great experience, Maha Nemiow, who was to introduce a new mode of conducting the war, and had attached to his army a body of eight thousand Shans, a species of force bearing a high character for gallantry, and who had not yet met a British army in the field. Along with them were three young women of high rank who were believed, by their superstitious countrymen, to be not only endowed with the gift of prophecy, but to possess the miraculous faculty of turning aside balls and bullets or rendering them innoxious. Confident in their strength, and urged by the threatening mandates of their monarch, the Burmese chiefs had no scruples of delicacy in violating the truce. Scarcely had they departed from the place of conference at Neoun-ben-zeik, when numerous irruptions were made by predatory bands from their army, transgressing the line of demarcation laid down in the armistice, laying waste the country almost to the walls of Prome, interrupting the supplies of the army, ascending the river, and threatening, and plainly intended,

to cut off the communication with Rangoon. When remonstrances were made to the Burmese commanders, they with their usual disregard of truth, denied all knowledge of these marauding expeditions, although it was proved by the prisoners taken, that they were acting directly under orders from head-quarters. At length, when the armistice had nearly expired, the thin mask was taken off, and the following haughty and laconic answer was returned to the proposals of peace made at Neoun-ben-zeik : " If you wish for peace, you may go away ; but if you wish either money or territory, no friendship can exist between us. This is Burman custom."

The whole army of Ava, nearly sixty thousand strong, immediately advanced along the banks of the Irrawaddy against Prome, and the six thousand British and native Indian troops by whom it was occupied. It was divided into three bodies, which moved parallel to each other, but were dispersed with so little tactical skill, that insuperable physical obstacles prevented any one of them from supporting any other, all being thus exposed to the imminent danger of being destroyed in detail. The right division, consisting of fifteen thousand men, under the command of Sudda Woon, moved along the right or western bank of the river. On the opposite bank, separated by the whole breadth of the Irrawaddy, advanced the centre, consisting of between twenty-five thousand and thirty thousand men, headed by the Kee Wonghee in person, and escorted by a considerable armament of war boats. Maha Nemiow himself took the command of the left division,



which likewise was fifteen thousand strong, and contained the Shan horsemen; it marched on the same side of the river with the centre, still more to the eastward, but was completely separated from it and the river by an impenetrable forest several miles in depth. The different divisions advanced in the ordinary style of Burmese warfare, creeping onwards slowly and certainly, stockading and entrenching themselves at every step, risking no general engagement, patiently working themselves round Prome to obtain positions in its rear as well as in its front. On the 10th of November, the advanced guard of Maha Nemiow, on the extreme left, was at Watty-goon, a village to the north-east of Prome, and not more than sixteen miles distant; his intention being to turn the right of the British position, and thus, at the same time, throw succours into the kingdom of Pegu on the east. Colonel M'Dowgal, with two brigades of native infantry, was ordered to dislodge them, and approached them in three divisions; one marching by the direct road to Watty-goon, the two others by circuitous routes, but with the design that they should all reach the point of attack at the same time, and act simultaneously against the front, flank, and rear of the enemy. But the plan was disconcerted by the forwardness of the Burmese, who, instead of awaiting the attack in their position, met the centre and principal division of the detachment half way, and, bringing on large bodies of Cafray horse, wherever the road emerged from the jungle into ground sufficiently open for cavalry to act, both retarded and weakened it by a con-

tinued succession of brisk skirmishes. The division, however, made good its advance to the neighbourhood of Watty-goon; but colonel M'Dowgal, having been killed while reconnoitring the works, there being no appearance of the two other divisions, and the force and position of the enemy being much too strong to be attacked without their assistance, a retreat was effected, with the loss of four officers and sixty-one men killed, and ten officers and a hundred and twenty men wounded, besides forty missing.

Maha Nemiow was emboldened by this partial success to advance closer to Prome, but was not seduced from his cautious and secure mode of approach, throwing up his stockades at every step that he gained. The centre and the right division advanced simultaneously, in the same mole-like manner; and in the end of November, the centre, under the Kee Wonghee was distinctly visible, stockaded in the difficult heights of Napadee, which run along the right bank of the river about five miles above Prome, while Sudda Woon, with the right, was posted opposite to him in a similar manner. The British army, in the mean time, remained quiet in its positions, anxious that the enemy should be seduced to attack, and even giving him apparent encouragement to risk an assault. The troops never showed themselves beyond the lines; batteries were erected and entrenchments thrown up, as if in apprehension of the approach of the assailants; and rumours were circulated that preparations were making for a sudden retreat to Rangoon. But every expedient failed to divert Maha Nemiow from his own sys-



tem. He had now approached within a morning's walk of Prome, and stockaded himself strongly at Simbike and Kyalaz, on the Nawine river. As his detached parties gave serious annoyance to the river convoys of the army, and as it was of much importance that no part of the fitting season for efficient operations should be suffered to pass away unimproved, sir Archibald Campbell, small as his force was, determined to become the assailant himself.

The inferiority of the British troops in point of number was, in a great measure, counterbalanced by the unskilful disposition of the three great masses of the Burman army, which, separated from each other by a broad and rapid river, or an impenetrable forest, formed in reality three distinct armies, which might be attacked and routed successively without any possibility of mutual co-operation and assistance. On the 30th November, the British commander made his dispositions. The division of Maha Nemiow himself, posted at Simbike on the left of the grand army, was the first and principal object of attack ; but, to divert the attention of the centre and the right, a demonstration was to be made against the heights of Napadee, and the flotilla was to maintain a fire against both sides of the river. At day-break on the 1st December, 1825, sir Archibald Campbell, leaving four regiments of native infantry in the works at Prome, marched with the rest of the force, to dislodge the corps of Maha Nemiow from its position on the Nawine river ; and, as had been previously concerted, the flotilla, and a regiment of native infantry, acting in co-operation on the bank of the river, shortly after

day-light commenced a heavy cannonade on the enemy's centre, and continued nearly two hours to attract his chief attention to that point.

On reaching the Nawine river, at the village of Zeouke, the force was divided into two columns, the right column, under the command of brigadier-general Cotton, continuing to advance along the left bank of the river, while the commander-in-chief, with the other column, crossed at the ford of Zeouke, and advanced upon Simbike and Lombek, in a direction nearly parallel with the brigadier-general's division. The troops had to contend with every disadvantage of a difficult and enclosed country, and the information acquired regarding the position occupied by the enemy had not enabled the general to make any previous fixed arrangement for intercepting the retreat of an enemy, to whom every footpath in the jungle was familiar, and whose irregular flight would be made by every path that promised safety at the moment. The object, therefore, was, that whichever column should have the good fortune to fall in with the enemy first, should attack him vigorously in front, while the other should endeavour to occupy such positions as would enable it to cut in upon him, when driven from his defences. The route followed by brigadier-general Cotton brought him in front of the stockaded position at Simbike, which he at once assaulted ; and when his fire first opened, the other column was about a mile and a half distant to his left and rear. Sir A. Campbell, in consequence, sent a detachment to guard the fort at Zeouke, the main road leading to Neounbenzick, and the position of the



Kee-Woonghee, while, with the rest of the column, he pushed on towards Sagee, in the hope of falling in with the enemy retiring upon Watty-goon. Brigadier-general Cotton and his division did not allow time for completing this movement. In less than ten minutes every stockade was carried, the enemy completely routed, and the second column had only an opportunity of cannonading his panic-struck masses as they rushed fast through the openings of the jungle in front. Every thing had been confusion within the stockades from the moment that general Cotton's column entered them, at the first assault; the very numbers of the enemy, crowded within their works, disabled them for effective resistance. The Shans alone maintained their character, and fought bravely. Animated by their young prophetesses, and the example of their chobwahs, or chiefs, they maintained the contest till the greater part of them were cut down. One of the prophetesses received a mortal wound, and old Maha Nemioh himself fell, encouraging his men in the hottest of the conflict, to desperate resistance.

The dispersion of the enemy's left wing was thus complete: the fugitives did not attempt to effect a junction with their centre, but fled through the jungle towards Meaday which had been fixed upon as a point of re-union in case of any disaster. Sir Archibald Campbell, therefore, having his hands clear, resolved immediately to attack the centre itself, on the heights of Napadee, before the Kee-Woonghee should effect the retreat to which the overthrow of the left wing would probably determine him. Having allowed

the troops only two hours repose, he returned the same evening to Zeouke, where the army bivouacked for the night, having performed during the day a harassing march of twenty-nine miles, and fought a battle.

At daylight in the morning of the 2d, they were again in motion. It was the general's intention to have cut in upon the river so as to divide the Kee-Woonghee's force; but the impassable nature of the intervening country prevented him from reaching Pagaon, the point selected for breaking through the line; and the only road that could be discovered led to the front of the fortified ridge of Napadee, which, from its inaccessibility on three sides, could be attacked only in front, and by a limited number of men. Early in the morning general Cotton's division endeavoured to push round to the right, and gain the enemy's flank by every path that could be discovered; but, after great exertion, the effort was abandoned as wholly impracticable. The artillery being placed in position, opened with great effect, while the flotilla under commodore sir J. Brisbane, moved forward and cannonaded the heights from the river. At the same time, brigadier Elrington was directed to advance through the jungle to the right, where the enemy opposed him with great gallantry and resolution, defending every tree and breast-work with determined obstinacy. To the Brigadier's left, six companies of the 87th regiment were ordered to drive in the enemy's posts to the bottom of the ridge. This service was successfully performed, and the enemy was driven from all his defences in the valley, retreating to his principal works on the hills.



The appearance of these works was sufficiently formidable; and the hills, which they covered, could be ascended only by a narrow road, commanded by artillery, and numerous stockades and breast-works filled with men, apparently all armed with muskets. As soon as the artillery and rockets had made an impression upon the enemy's works, and silenced several of his guns, the troops advanced to the assault. The 1st Bengal-brigade, consisting of the 13th and 38th regiments, was directed to advance by the beach, and storm the height in front, and the six companies of the 87th regiment, which had advanced through the jungle to the right, drove every thing before them on that side. Nothing could surpass the steadiness and resolute courage displayed in this attack. Scarcely a shot was fired in return to the enemy's continued volleys. The 38th regiment, which led, first entered the enemy's entrenchments on the heights, driving him from hill to hill, over precipices which could only be ascended by a narrow stair, until the whole of the formidable position, nearly three miles in extent, was completely carried. During the attack, the flotilla, whose cannonade had been most usefully effective, pushed past the works, and succeeded in capturing all the boats and stores which had been brought down for the use of the army.

The two divisions which had been advancing along the eastern bank of the Irrawaddy were now completely dispersed, with the loss of their artillery, ammunition, military stores, and the bravest of their troops. Only the right division under Sudda Woon, stockaded on the western bank of the

river, now remained to be disposed of. So quiet had this general kept himself, and so carefully were his men concealed from observation, that it was at first doubtful whether he had not quitted his works, and retired in silence. On its being ascertained however, that he still maintained his original ground, preparations were made for immediately attacking him. On the morning of the 5th December, the troops intended for this service under general Cotton, were carried across the river by the flotilla, and landed somewhat higher up the river than the stockades, a rocket brigade, and a mortar battery having been established during the night, on a small island in the channel, within range of the enemy's works, and opening their fire at day break. The enemy speedily retreated from his position on the river; but, on taking possession of it, it was discovered that they had a stockaded work about half a mile in the interior, completely manned, and mounted by guns. Brigadier Armstrong, colonel Brodie, and colonel Godwin, immediately moved upon its centre and right; general Cotton himself led the royals to the left, and the work was instantly carried, the enemy leaving three hundred dead on the field, and dispersing in every direction. From three hundred to three hundred and fifty muskets were taken, having been abandoned by the enemy. The whole of the defences were set on fire.

Thus, in the course of four days, the immense army of Ava, which had threatened to envelope Prome, and swallow up the British troops, had melted away like a vapour, and sir A. Campbell was at liberty to march upon the capital, still



distant about three hundred miles. He commenced advancing, after allowing his men a day's repose, on the 6th of December. The order of march was in two divisions. The first, to which headquarters were attached, was in advance, making a considerable circuit to the eastward, for the purpose of turning all the river defences of the enemy as far up as Meaday, where it was expected that the enemy might have rallied, as the stockades had been strengthened with every thing that Burmese art could effect. The second division under brigadier general Cotton, advanced, by a route nearer, and parallel, to the river, to act in co-operation with the flotilla, until it should be ascertained that the navigation of the river was open, at least to Meaday. The earlier part of the march was through a difficult country, with roads scarcely practicable for artillery, leading through a thick and tangled jungle, that kept the soldiers almost continually deluged with water, which, besides damaging their provisions, was pernicious to their health. The cholera again made its appearance, and carried off numbers of the men before its ravages could be checked by gaining a more open and elevated country. When the army reached Meaday on the 19th December, they found it just evacuated by the rear-guard of the enemy, the Burmese having retired upon Melloone where their army had received orders again to concentrate. The pursuit was continued from Meaday by forced marches; and on arriving within five miles of Patanagoh, a town on the left bank of the Irrawaddy, opposite to Melloone, which occupies the right bank, it was ascertained

that the whole of the enemy's forces had crossed to the Melloone side of the river, and occupied, with ten or twelve thousand men, a series of strongly fortified heights, and a formidable stockade, considered the *chef d'œuvre* of the Burmese engineers, having in front a rapid stream six hundred yards broad. On the 26th, however, they sent in a flag of truce, bringing a letter from their chiefs, stating their desire to put an end to hostilities, that a minister had arrived from Ava with full powers to negotiate and ratify a peace, and requesting a meeting for that purpose. On the 28th two officers were sent to Melloone to arrange the proposed conference; but the Burmese leaders again displayed their usual anxiety to gain time. They made many profound reflections on the expediency of waiting a propitious season for so important a transaction, and argued strongly for the propriety of not proceeding before the approaching full moon. The British officers, unable to accomplish the object of their errand, declared the truce at an end, and, next day, the British army took possession of Patanagoh, from which its cannon could reach the enemy's works across the river. The Burmese flotilla immediately attempted to run up the river to secure their communications with Ava; but the artillery being hastily brought to bear upon them, they returned to their former position under the guns of the stockade. The British flotilla which had been detained by the intricacy of the channel, and the propriety of waiting the erection of batteries to check the fire from the Melloone side, approached so soon as the cannonade began. It had to pass close under the enemy's works, but the Bur-



mese chiefs thought it imprudent to precipitate hostilities, when there was a chance of gaining something by delay. Instead of firing a single shot at the flotilla, two gaudy war-boats came out to act as pilots; and it anchored safely at some distance above the town, cutting off all means of retreat or of supply by the river.

The consequence of these amicable dispositions on the part of the enemy was the conclusion of a truce, and the appointing of a conference to be held, to treat of peace, on board of a large boat moored for that purpose in the middle of the river. The commissioners for Ava were, the Kee Woonghee, and the new negotiator Kolein Menghi. The first conference was held on 1st of January, 1826. As formerly they resisted obstinately the payment of money, and the cession of territory. To the first of these demands they answered, that they were unable to pay such a sum; that the war had been much more expensive to themselves, from the large armies which they had been compelled to maintain, than to Britain; that they might be able, by using great economy, to pay a million baskets of rice within a year, but they did not grow rupees; and, if sir A. Campbell had any disinclination to the rice, there were abundance of fine trees in the forests, which he might cut down, and carry away instead of the money. They wished to retain Arracan, they said, not on account of its value, for it was rather a burden to Ava than a source of profit, but because the nation was proud of the conquest, which had been achieved by the valour of their ancestors, and the national honour was engaged not to yield it. Finding, however,

cunning, entreaty, lying, downright begging, all equally ineffectual, and that they had no choice but between immediate acceptance of the proffered terms, and the instant re-commencement of active hostilities, they finally signed the treaty on the 3d of January. By its terms, the four provinces of Arracan, together with those of Mergui, Tavoy, and Zea, were to be ceded to the company; the kingdoms of Assan, Cachar, Zeating, and Munnipoor, were to be placed under princes named by the British government. Residents from each court were to be received at the other, and allowed to retain an escort of fifty men; British ships were to be admitted into Burmese ports, and to land their cargoes, free of duty, without unshipping their rudders, or landing their guns; and Ava was to pay to the company a crore of rupees by instalments, as some indemnification for the expenses of the war. The treaty was to be returned from the capital ratified by the king, along with the English prisoners there detained, within fifteen days.

During these fifteen days, however, it became very evident that the Burmese had no serious intention of making peace, that delay had been the only object of their negotiations, and that they would again encounter the chance of war, rather than yield to the terms imposed upon them. Prince Memiaboo, who commanded in Melloone, continued to strengthen his works in violation of the truce, and in defiance of the remonstrances of the British general, as if he had been perfectly aware, that there was no chance of peace. On the 17th January, the day before that on which the ratification of the treaty was to be delivered,



three Burmese officers were sent to make apologies for the delay, profess ignorance of its causes, and beg for an extension of the limited period. They offered to pay down an instalment of money, and give hostages for the execution of the treaty, if the British army would retire to Prome, a proposal too extravagant and absurd for any court but that of Ava to make. The British commissioners would grant no relaxation of the terms whatever excepting this, that, if the Burmese evacuated Melloone, and continued retiring before the British forces upon the capital, hostilities would not be recommenced, though the army would advance, and even the march of the army would be suspended so soon as the ratified treaty was received. This proposal being peremptorily rejected, they were dismissed with the assurance, that twelve o'clock on the night of the 18th would be the signal for renewed hostilities.

Accordingly, immediately after midnight of the 18th, the construction of batteries, and the landing of heavy ordnance from the flotilla commenced. With so much zeal and activity was the service performed, that by ten o'clock on the morning of the 19th, twenty-eight pieces of ordnance were in battery, on points presenting a front of more than a mile on the eastern bank of the Irrawaddy, and corresponding with the extent of the enemy's line of defence on the opposite shore. Hopes were entertained, that the formidable appearance of these preparations would have induced the enemy to make some further communications in the morning, instead of again risking the renewal of hostilities with troops of whose decided superiority they had so recently re-

ceived the most convincing and humiliating proofs. But at daylight it was seen that the preceding night had been devoted by them to preparations equally laborious, and the construction of extensive and well-planned works, with a view to the resistance on which they had resolved.

At eleven o'clock, A. M. (the 19th), the batteries and rockets opened their fire on the enemy's position; and while it was warmly kept up, the troops intended for the assault were embarking in the boats of the ships and the flotilla, at a point above Patanagoh, under the superintendence of captain Chads, of the Alligator, on whom this charge devolved, in the absence of commodore sir James Brisbane, in consequence of extreme indisposition. About one P. M. a decided impression having been produced by the cannonade, one brigade under lieutenant-colonel Sale, consisting of the 13th and 38th regiments, was directed to drop down the river, and assault the main face of the enemy's position, near its south-eastern angle: brigadier-general Cotton, with the flank companies of the 47th and 87th regiments, and the 89th regiment, under lieutenant-colonel Hunter Blair; the 41st regiment, and the 18th Madras native infantry, under lieutenant-colonel Godwin; and the 28th Madras native infantry, with the flank companies of the 43rd Madras native infantry, under lieutenant-colonel Parlby, were ordered to cross above Melloone, and, after carrying some outworks, to attack the northern face of the principal work.

Although the whole of the boats pushed off together from the left bank, the strength of the current,



and a strong breeze from the north, carried the first brigade to the given point of attack before the other columns could possibly reach the opposite shore; lieutenant-colonel Sale was unfortunately wounded in his boat, but, the corps of his brigade having landed, and formed with admirable regularity, under the command of major Frith, of the 38th, rushed on to the assault, and were, in a short time, complete masters of a work, which, although certainly not so well chosen in point of position as some others, yet had been rendered most formidable by labour and art, and was such as to afford the enemy a presumptive assurance of security in their possession of it. This is fully evinced by the circumstance of the chiefs, with Memiaboo at their head (contrary to the Burmese custom in all such cases), having remained within their defences till they saw the troops crossing to the assault. The discomfiture was rendered complete, by the second brigade, when the works had been carried, cutting in upon the retreat of the crowded and disorderly fugitives. The loss of the attacking troops amounted to only nine men killed, and thirty-four wounded, among whom were three officers. The victors were masters of all the ordnance and military stores; in the house of prince Memiaboo they found 30,000 rupees in specie, and, what was fully as interesting, both the English and the Burmese copies of the treaty, in the state in which they had been signed, having never been transmitted to Ava. When sir A. Campbell afterwards sent it to the Kee-Woonghee, with a note stating that he supposed he had merely forgotten it in the hurry of his de-

parture from Melloone, the minister answered, with great coolness and good humour, "that in the same hurry he had left behind him a large sum of money, which also he was confident the British general only waited an opportunity of returning."

On the 25th of January, the army resumed its triumphant march towards the capital, and on the 31st was met in its advance by Dr. Price an American missionary, and Mr. Sandford, an assistant surgeon of the army, taken prisoner some months before, whom fear had induced the king, on his learning the rout of Melloone, to restore to their liberty, and despatch as messengers of peace. They were sent to express his majesty's sincere desire for peace, and to ascertain the lowest terms at which it could be purchased. These differed little from what had been agreed to at Melloone; sir A. Campbell refused to halt his army till they should be accepted, but promised not to pass for twelve days Pagahm-Mew, which was between him and the capital, and which he could not, in any event, reach in less than ten days. The messengers departed with sanguine hopes that they would return with a ratified treaty; but the golden majesty of Ava, resolved to risk the chance of war once more, put forth new exertions to raise new forces, and prepared to assemble them in the neighbourhood of Pagahm-Mew. Part of the fugitives from Melloone had been rallied at that point, and there reinforced by fresh levies from Ava. The command of the whole, amounting to sixteen thousand men, had been given to Ta-Yea-Soogean, Woon-dock, Ne-Woon-Breen, who had pledged himself to his sovereign to



achieve some signal success at the expense of the British, styling them, in the insolent language of his Court and nation, the Invading Army of Rebellious Strangers. On the evening of the 8th of February, the enemy was discovered in force strongly posted about five miles in advance of the village of Yesseah, where the leading British division had that day encamped. They had resolved to defend two positions; the first having for its appui the Logoh-Nunda Pagoda; the second, within the old walls of the city, which had undergone some partial repairs, and the numerous Pagodas in and about Pagahm—the former was to be occupied by seven thousand, the latter by nine thousand men. Considering it of importance that the decisions of the Court of Ava at this particular crisis should not be left to depend upon hopes cherished under a false confidence in the promises of their new commander, sir A Campbell took measures for attacking the enemy on the morning of the 9th, and ordered brigadier general Cotton, whose division was twelve miles in the rear, to march with three of his corps, at such an hour during the night, as would ensure his joining him by day light. Thus reinforced he marched at nine o'clock; and, four miles from our camp, found, for the first time since the commencement of the war, the enemy prepared to dispute the ground in the field, in front of his first position. The disposition of his troops, and his plans for receiving our attack, exhibited marks of considerable judgment.

The road from Yesseah to Pagahm-Mew leadst through a country much overgrown with prickly jungle, which, whilst it renders it

difficult for regular troops to diverge from its direct course, either to the right or left, is in some places so thick as completely to mask the formations and manœuvres of large bodies. The Burmese general, availing himself of these advantages, and probably ignorant of the reinforcement the leading division had received during the night, drew up his army in the form of a crescent, both its flanks being considerably advanced, and the main road running directly through its centre, thinking no doubt the British must advance by it, till opposed in front, when the wings would close in to attack them on both flanks and in the rear, which his great superiority in numbers would have enabled him to effect. But the advance of the British force was conducted in such a manner as soon to defeat the object of his formation, and he was instantly assailed upon both flanks. The 13th light infantry under sir A Campbell, led the right attack accompanied by four guns, and a small detachment of the body guard, supported by the 89th regiment; the 38th regiment attacked on the left, supported by the 41st, and two guns under the direction of brigadier general Cotton—whilst lieutenant colonel Parlby, with the 43rd Madras native infantry, advanced on the bank of the Irrawaddy, towards the extreme left, to prevent the enemy from throwing troops into the rear in that direction. They received the attack on both flanks tolerably well-formed, and with some show of resolution, but were soon obliged to give way before the rapid fire and steady charge of British soldiers.

Part of their troops, being broken by the 38th, retired into a well-constructed field-work, but were so



closely pursued that they had not time to form for its defence ; there from three to four hundred of them perished, either by the bayonet, or plunging into the river to escape. The enemy, perceiving both his flanks attacked, and the British centre apparently without troops, pushed a column by the main road, towards an eminence in the rear, covered with Pagodas, but was checked, and retired on seeing the 89th in reserve. Several times during the day they attempted, with their cavalry to turn the right, and vigilantly watched every opportunity which might offer to effect this purpose. They at one time came down in great force, and good order, towards a small party of the 13th light infantry. The first of the enemy's positions being thus carried, the troops were re-formed, and, after a short halt, led to the attack of the second, which they soon forced without much opposition. The enemy, thus defeated at all points, left the conquerors in possession of Pagahm-Mew, with all its stores, ordnance, arms and ammunition. The Burmese commander, Nee-Woon-Breen, whose confidence had enticed the king into this new disaster, had no sooner reached Ava in his flight, than he was put to death.

No opposing force now remained between the army and the capital, towards which it again directed its march through a country not devastated by the policy of a retreating foe, and forming only a dreary wilderness of jungle, but presenting a wide extent of rich and well-cultivated fields, thickly interspersed with copewood and villages, while temples and pagodas glittered along the banks of the river. On the 13th Dr. Price again

met the army, bringing, indeed, neither the first instalment of the money, nor the prisoners, but to assure the British commander, that the king had yielded, though he demurred as to the money from an apprehension taught him by his own faithlessness, that the invaders, having once received payment, would still keep possession of the country. He was instructed, therefore, to inquire whether sir A. Campbell would not accept of six lacs out of the twenty-five upon the spot, and receive the other nineteen on his arrival at Prome on his return. The request was refused ; the army again advanced ; when it had reached Yandaboo, within four days march of the capital, Dr. Price again made his appearance, bringing with him the prisoners, the treaty ratified, and the stipulated sum of twenty-five lacs of rupees. The war was now ended ; a party of officers from the army visited the capital, and were received by the humbled monarch with every honour. On the 5th of March the troops who had maintained this unequal contest, and forming but an handful in comparison with the multitudes opposed to them, had marched from victory to victory into the very bowels of an hostile empire, commenced their return to Rangoon.

The following were the articles of the treaty.

1. There shall be perpetual peace and friendship between the hon. company on the one part, and his majesty the king of Ava on the other.

2. His majesty the king of Ava renounces all claims upon, and will abstain from all future interference with, the principality of Assam and its dependencies, and also with the contiguous petty states of



Cachar and Jyntia. With regard to Munnipore, it is stipulated, that, should Gumbheer Singh desire to return to that country, he shall be recognized by the king of Ava as rajah thereof.

3. To prevent all future disputes respecting the boundary line between the two great nations, the British government will retain the conquered provinces of Arracan, including the four divisions of Arracan, Ramree, Cheduba, and Sadowey, and his majesty the king of Ava cedes all right thereto. The Annonpeeteetonmien or Arracan mountains (known in Arracan by the name of the Yeornabourg or Pokhenloun Range) will henceforth form the boundary between the two great nations on that side. Any doubts regarding the said line of demarcation will be settled by commissioners appointed by the respective governments for that purpose, such commissioners from both powers to be of suitable and corresponding rank.

4. His majesty the king of Ava cedes to the British government the conquered provinces of Yeh, Tavoy, and Mergui, and Tenasserim, with the islands and dependencies thereunto appertaining, taking the Saluen river, as the line of demarcation on that frontier. Any doubts regarding their boundaries will be settled as specified in the concluding part of article 3.

5. In proof of the sincere disposition of the Burmese government to maintain the relations of peace and amity between the nations, and as part indemnification to the British government for the expenses of the war, his majesty the king of Ava agrees to pay the sum of one crore of rupees.

6. No person whatever, whether

native or foreign, is hereafter to be molested, by either, on account of the part which he may have taken, or have been compelled to take, in the present war.

7. In order to cultivate and improve the relations of amity and peace hereby established between the two governments, it is agreed that accredited ministers, retaining an escort or safeguard of fifty men, from each, shall reside at the durbar of the other, who shall be permitted to purchase, or to build a suitable place of residence, of permanent materials; and a commercial treaty, upon principles of reciprocal advantage, will be entered into by the two High Contracting Powers.

8. All public and private debts contracted by either government, or by the subjects of either government, with the other, previous to the war, to be recognized and liquidated upon the same principles of honour and good faith as if hostilities had not taken place between the two nations; and no advantage shall be taken by either party of the period that may have elapsed since the debts were incurred, or in consequence of the war; and, according to the universal law of nations, it is further stipulated, that the property of all British subjects who may die in the dominions of the king of Ava, shall, in the absence of legal heirs, be placed in the hands of the British resident or consul in the said dominions, who will dispose of the same according to the tenor of the British law. In like manner the property of Burmese subjects, dying under the same circumstances in any part of the British dominions, shall be made over to the minister or other authority



delegated by his Burmese majesty to the supreme government of India.

9. The king of Ava will abolish all exactions upon British ships or vessels in Burman ports that are not required from Burman ships or vessels in British ports; nor shall ships or vessels, the property of British subjects, whether European or Indian, entering the Rangoon river or other Burman ports, be required to land their guns, or unship their rudders, or to do any other act not required of Burmese ships or vessels in British ports.

10. The good and faithful ally of the British government, his majesty the king of Siam, having taken a part in the present war, will, to the fullest extent, as far as regards his majesty and his subjects, be included in the above treaty.

11. This treaty to be ratified by the Burmese authorities competent in the like cases, and the ratification to be accompanied by all British, whether European or native (American) or other prisoners, who will be delivered over to the British commissioners. The British commissioners, on their part, engaging that the said treaty shall be ratified by the right hon. the governor-general in council, and the ratification shall be delivered to his majesty, the king of Ava, in four months, or sooner if possible; and all the Burmese prisoners shall, in like manner, be delivered over to their own government as soon as they arrive from Bengal.

*Additional Article.*

The British commissioners being most anxiously desirous to manifest the sincerity of their wish for peace, and to make the immediate execution of the fifth article of this treaty

as little irksome, or inconvenient as possible to his majesty the king of Ava, consent to the following arrangements, with respect to the division of the sum total, as specified in the article before referred to, into instalments, viz.: upon the payment of twenty-five lacks of rupees, or one-fourth of the sum total (the other articles of the treaty being executed), the army will retire to Rangoon; upon the future payment of a similar sum at that place, within one hundred days from this date, with the proviso as above, the army will evacuate the dominions of his majesty the king of Ava, with the least possible delay; leaving the remaining moiety of the sum total to be paid by equal annual instalments in two years, from this 24th day of February, 1826, A. D., through the consul, or resident in Ava, or Pegu, on the part of the honourable the East India company.

A. CAMPBELL, Major-Gen. and Senior Commissioner.

T. C. ROBERTSON, Civil Commissioner.

H. D. CHADS, Captain Royal Navy.

LABGEEN MEONJA WOONGHEE,  
SHWAGUM WOON ATAWOON.

While the Burmese war was brought to this triumphant conclusion, fortune had been equally propitious to the arms of Britain, on the north-western frontiers of her Indian empire, where her interposition was demanded to protect a native prince against an usurper. The rajah of Bhurtpore, Buldeo Singh, had died in terms of strict alliance with the company, by which they were bound to assist each other against all enemies. The rajah, apprehensive of the consequences which might follow



upon his death had, during his lifetime, declared his son, Bulwunt Singh, his successor, and had obtained for him from the company the formal investiture of the Khilaat, or robe of inauguration. From that moment the young rajah was under the protection of the British government. On the death, however, of Buldeo Singh, his nephew, Doorjun Sal, gained a party in the army, excited a successful rebellion, gained possession of Bhurtpore itself, and seated himself on his cousin's throne. Bulwunt Singh demanded the protection of the company ; and in the end of 1825, an army, under the command of lord Combermere marched to reinstate him.

The first and great object was, the reduction of Bhurtpore itself, a fortress of immense strength, deemed by the natives to be impregnable, and already celebrated for its successful resistance to British troops, when besieged in 1805 by lord Lake, who was compelled to give up the enterprise after he had lost 3,000 men. It is a town of considerable extent, strongly fortified on every side, being surrounded by a mud wall of great height and thickness, with a very wide and deep ditch. The fort stands at its eastern extremity, and is of a square figure ; one side overlooks the country, the other three are within the town. It occupies a situation that appears more elevated than the town ; its walls also are higher, and its ditch of greater width and depth. The circumference of the town and fort together, is above eight miles ; and their walls, in all that extent, are flanked with bastions at short distances, on which is mounted a numerous artillery. The place derives a considerable addition to

its strength, from the quantity of water which its locality enables the garrison to command, and, when filled, the ditch presents a most formidable obstacle. To the real strength of the fortress, was added that of opinion : if not impregnable, the natives of Hindostan believed it to be so. The termination of the attack in 1805, without its actual surrender, although it had been thrice attempted to be stormed, had produced an exaggerated opinion of its strength, and of the courage of its defenders, which presented exceptions to the usual career of the British arms in India. Bhurtpore was a point, on which the vanity and discontent of the military tribes of Hindostan could dwell with satisfaction ; and, after the failure of lord Lake, it was a saying amongst them, that India was not yet conquered, for Bhurtpore had not been taken. It was not to be doubted that a second failure would produce the most unfavourable effects on public opinion, and give new life to all the elements of restlessness and disaffection which might be existing.

The preparations for the attack were now made on a large and complete scale, calculated to insure ultimate success ; and, on the 10th December, lord Combermere appeared before it with an army of upwards of 20,000 men, and a field of more than an hundred pieces of artillery. During the night the enemy had cut the bund, or embankment of a lake to the northward, for the purpose of filling their broad and deep ditch, a most essential means of defence, which had contributed largely to the successful resistance of the place in 1805 ; but they had been too tardy with this operation, the British troops arrived in time to



make themselves masters of the embankment, and repair the breach before a sufficient quantity of water had flowed into the fosse to render it impracticable. The following days were occupied in reconnoitring the works, and determining the points of attack, until the battering train and its appurtenances should have come up, the fortress occasionally firing upon the reconnoitring parties, and occasional skirmishes taking place between small detachments and his cavalry which were encamped under the walls.

Lord Combermere, desirous to save the women and children from the horrors of a siege, and of a bombardment like that which must follow from such a battering train as he was about to employ, addressed a letter to Doorjun Sal on the 21st, calling upon him to send them out of the fort, promising them a safe conduct through the British camp, and allowing four and twenty hours for that purpose, before he should open his fire upon the town. Having received an evasive answer, his lordship again sent to him, allowing a farther extension of the time for twelve hours; but the humane offer was not accepted. On the 23rd, therefore, every thing being in readiness to commence operations, and the north-east angle of the works having been fixed upon as the point of attack, the besiegers under a heavy fire, took possession of a ruined village called Kuddum Kemdee, and of Buldeo Singh's garden, and completed their first parallel at the distance of about eight hundred yards from the fort. On the morning of the 24th, two batteries erected at these two points opened upon the town, and, on the 25th, another more advanced battery

between them, having likewise begun its fire within two hundred and fifty yards of the north-east angle, the defences of the east side of that part of the works were in a great measure destroyed. A battery was then constructed bearing on the north face of the same angle, at a distance of about two hundred and fifty yards. The rest of December was employed in a similar manner in strengthening the old batteries, erecting new ones, and pushing forward the works; a constant fire, which left scarcely a roof uninjured being kept up against the town, while the enemy seemed to be reserving his resources to the last, and the operations of the besiegers were exposed to no material interruption. On the 3rd January, 1826, the artillery began to breach the curtains; the ditches in front were found to be dry, and, from the ruggedness of the counterscarp, offered fewer obstacles than had been expected. Such, however, was the tenacity of the tough mud walls, that they resisted the effects of shot better than masonry would have done; it was found that the batteries were insufficient to breach them, and recourse was had to mining. On the evening of the 6th, a mine was commenced in the scarp of the ditch on the northern face of the work, with the purpose of improving the breach; but the engineers, fearing that they would be discovered, if they continued their operations during the day, sprung it at day-light on the following morning, when it was not sufficiently advanced to have any material effect upon the wall. In making a second attempt, the miners were driven away, having been countermined from the interior before they had entered many feet, and



the gallery was subsequently blown up, it being discovered that the enemy were keeping watch in it. On the 14th, another mine under one of the bastions was exploded too precipitately, and failed of its effect. Two more mines were immediately driven into the same work, which were sprung on the 16th so successfully, that with the aid of a day's battering they effected an excellent breach, which was reported to be practicable. On the 17th, the mine under the north-east angle was completed, and the following day was fixed for the storm.

Early in the morning of the 18th, the troops destined for the assault established themselves in the advanced trenches unperceived by the enemy. The left breach was to be mounted by the brigade of general Nicolls, headed by the 59th regiment; that on the right by general Reynell's brigade, headed by the 14th regiment; the explosion of the mine under the north-east angle was to be the signal for the attack. At eight o'clock, the mine was exploded with terrific effect; the whole of the salient angle, and part of the stone cavalier in the rear, were lifted into the air, which for some time was in total darkness; but from the mine having exploded in an unexpected direction, or from the troops having been stationed, in consequence of miscalculation, too near it, the ejected stones and masses of earth killed, in their fall, several men of the regiment at the head of the column of attack, and severely wounded three officers; they fell so thick about lord Combermere himself, that brigadier general M'Combe, who was standing next to him, was knocked down, and two sepoys, who were within

a few feet of him, were killed on the spot. The troops immediately mounted to the assault, with the greatest order and steadiness, and, notwithstanding a determined opposition, carried the breaches. The left breach was the more difficult of the two; and at one moment, where the ascent was steepest, the 59th regiment, which led the attack, halted for an instant; but at a cheer from their comrades behind, they pressed on, and quickly surmounted it, the grenadiers moving up it slowly and resolutely without yet drawing a trigger in return for the volleys of round shot, grape, and musketry, which were poured upon them. Some of the foremost of the enemy defended the breach for a few minutes with great resolution, but, 'as the explosion of the mine had blown up three-hundred of their companions, they were soon compelled to give way, and were pursued along the ramparts. Whenever they came to a gun which they could move, they turned it upon their pursuers, but they were immediately killed by the grenadiers, and the gun upset. In two hours the whole rampart surrounding the town, although bravely defended at every gateway and bastion, along with the command of the gates of the citadel, were in possession of the besiegers, and early in the afternoon, the citadel itself surrendered. Brigadier general Sleigh, commanding the cavalry, having been intrusted with preventing the escape of the enemy's troops, after the assault, made such a disposition of his forces, that he succeeded in securing Doorjun Sal, who, with his wife, two sons, and a hundred and sixty chosen horse, attempted to force a passage through the 8th light cavalry.



The loss of the enemy could not be computed at less than four thousand killed ; and, owing to the disposition of the cavalry, hardly a man, bearing arms, escaped. Thus, as by the surrender of the town, all the stores, arms, and ammunition fell into the possession of the victor, the whole military power of the Bhurtpoor state might be considered as annihilated. The fortifications were demolished, the principal bastions, and parts of several curtains were blown up on the 6th February, and it was left to the rains to complete the ruin. The Futtý Bourg, or " Bastion of Victory," built, as the Bhurtporeans vaunted, with the bones and blood of British soldiers who fell in the assault under lord Lake, was now laid low ; and among its destroyers were some of those very men who, twenty years before, " had been permitted," in the boasting language of the natives, " to fly from its eternal walls." All the other fortresses within the Rajah's dominions immediately surrendered ; the inhabitants returned to their abodes, and the prince was re-instated in his authority. Lord Combermere broke up his camp, to return to Calcutta, on the 20th February, and arrived there early in April.

IN AFRICA, during this year, our settlements on the coast of Guinea were again threatened by the restlessness of the Ashantees. Since the unfortunate battle with sir Charles M'Carthy, which emboldened them, by the death of the British commander, rather than discouraged them by the ultimate failure of the enterprise, the king of that nation had silently been collecting supplies, and forming an army to effect his favourite object of making himself master of all the territory

between his own country and the sea, by successively attacking, and overpowering, the native princes in the British interest, and surprising British Accra. It was not possible for him, however, to make the necessary preparations, without the knowledge of the neighbouring chiefs, whose fears at length led them to supplicate assistance from colonel Purdon, commanding at Cape Coast. They promised, if he would give them muskets and powder, to purchase an equal quantity from the merchants, raise twelve thousand men, and put themselves under his command ; and they engaged, in the most solemn manner, not to run away, as they had done on the occasion of sir Charles M'Carthy's unfortunate defeat. Colonel Purdon, taking what assurances he could get, accepted their offer, gave them what assistance he could, and divided their force into five brigades, with two strong corps of observation, to protect each flank. He then assembled such of the settlers, merchants, and civilians as he could, and formed them into one corps as a reserve. The only British troops he had were eighty men of the Royal African corps, with four field pieces, of six and three-pounders. The united force amounted to less than twelve thousand men. The natives were composed of the following kings, nations, and tribes : Accatoo, king of Aquimbo ; Adononaqua, king of Aquapim : Dongua, queen of Aikim ; Cudjoe, king of Assin ; the king of Tiful, and many other caboceers, and captains of tribes. They brought into the field about ten thousand men ; to whom, and the eighty men of the regular troops, were added five-hundred militia, British, Dutch, and Danish, belonging to Accra and Cape Coast Castle. The



Ashantees' force amounted to twenty-five thousand men.

On the 29th of July, colonel Purdon marched to Wongassey, about eighteen miles from British Accra. On the 4th of August he moved to Ashroocan, and on the 6th he took up a position (twenty-four miles from Accra) on an extensive plain. The morning of the 7th happened to be a Monday, and a remarkably fine day, which was regarded by the "wise men" of the Ashantees as a Fetish (or good omen) and a favourable day for the king to fight on; he was assured by these soothsayers that it would render him invincible. He accordingly, acting under their influence, at half past nine in the morning, moved to the attack, in a very imposing and determined manner. Colonel Purdon instantly put his force in motion, met the Ashantees half-way upon the plain, and commenced the battle with great bravery. After the engagement had lasted more than an hour, a pause ensued, in consequence of the left of the British right centre brigade and nearly the whole of the right wing giving way. At this critical moment, as soon as the centre reserve (composed of the Royal African Corps) became uncovered by the flight of the natives, colonel Purdon opened on the Ashantees a destructive fire of rockets, grape, and cannister, which did great execution; and, perceiving that they were panic-struck, and in the utmost confusion, he moved forward to the attack with every man he had, and cut through the enemy's centre. They gave way in all directions, and the victory was no longer doubtful. Accatoo, king of Aquimbo, who commanded a strong corps of observation on the extreme right, bravely and accurately obeyed the

orders he had received, to bring up his division, the moment he should hear the report of the British guns, and attack the Ashantees on their left flank. This simultaneous movement, with the forces immediately under the direction of colonel Purdon, had the desired effect, and decided the fate of the battle. If the whole of the allies had acted in a similar manner, neither the king of the Ashantees, nor any part of his army would have escaped. But it is difficult to prevail upon such a race of people to act upon a systematic plan of operation, if it be at variance with their own notions; and the cause of the flight of part of them was that, in disobedience of orders, they broke from the line formed, and rushed into contest without regularity, without any reserve to support them, or prudence to guide them, in case of difficulty. The loss of the Ashantees, in killed, wounded, and prisoners was estimated at not less than five thousand men.—Many of the Ashantee princes and generals were killed and taken. About eight hundred were killed, and two thousand wounded on the side of the British. The whole of the camp equipage, of great value, fell into the hands of some of the least deserving of the allied forces. Amongst those spoils were, the golden umbrella of State, the golden stool of State, and gold dust, ivory, and other valuables to a large amount. Adononaqua, king of Aquapim, recovered the head of the late sir Charles M'Carthy, which was considered by the Ashantees as their greatest charm or fetish. It was enveloped in two folds of paper, covered with Arabic characters, tied up a third time, in a silk handkerchief, and lastly sewed up in a leopard's skin. The captor refused to give up.



## CHAP. IX.

FRANCE—*Meeting of the Chambers—Expenses of the Army of Occupation in Spain—Ouvrard's Contracts—The Budget—Roads—Army and Navy—Operation of the Sinking Fund—Corn Laws—Trade—Law of Primogeniture—Speech of M. Villèle—The Slave Trade—Complaints against the Government for shewing partiality to Turkey against Greece—Independence of St. Domingo, and Indemnity to the Colonists—Motion against Reading Speeches—The Press—Trial of the Abbé Mennais—Montlosier's Denunciation of the Jesuits—Treaty with Brazil—Policy of France towards Portugal—Recall of the French Minister from Madrid, and of the Swiss Guards.*

EXCEPTING the excitation of opinion kept up by the efforts and intrigues of a high ecclesiastical party to extend their influence, and the clamours of interested men who declaimed against the financial measures of the ministry because they had been losers by fluctuations in the funds, every thing was tranquil and prosperous in France; when the king opened the Session of the Chambers, on the 31st of January, with the following speech:

“Gentlemen,

“It is with real satisfaction that I see myself again among you. Attentive to the movements of the public mind, and to the course of affairs, I have judged that no serious motive required that the time at which I proposed to call you together should be anticipated. My foresight has been justified, and I am happy at not having abridged the repose on which you were allowed to depend.

“Death has just struck in the midst of his career one of my most magnanimous allies: this loss has profoundly afflicted me. I receive from his successor, as well

as from the other powers, the most positive assurances of the continuance of their friendly dispositions; and I have the confidence, that nothing will impair the harmony between me and my allies for the tranquillity of nations.

“I have concluded with his Britannic majesty, a convention which will render more uniform the conditions to which the reciprocal navigation of the two kingdoms and their colonies is subject. I expect, from this arrangement, happy results for our maritime commerce.

“I have determined to fix, at length, the fate of St. Domingo. The time was come to close a painful wound, and to put an end to a state of things which compromised so many interests. The definitive separation of this colony, which has been lost to us for these thirty years, will not disturb the security of those which we preserve.

“A law became necessary for the division of the indemnity which I have reserved for the ancient planters; it will be proposed to you.

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"I shall immediately cause to be laid before you the accounts for 1824, the statement of the receipts and expenditure of 1825, and the budget of 1827. The development of our commerce and our manufactures daily augmenting the produce of the taxes on consumption and transactions, will allow an amelioration of the situation of the ministers of our holy religion, an increase of the dotation of several of the services, and make it possible to reduce, by nineteen millions more, the direct taxes, which have already been diminished this year.

"You will rejoice with me, gentlemen, at thus finding, in the progress of our internal prosperity, means to redress the burdens which are the most onerous to the subject.

"The legislature should provide, by successive ameliorations, for all the wants of society.

"The progressive subdivision of landed property essentially contrary to the principle of monarchical government, would weaken the securities which the charter has given to my throne and to my subjects.

"Means will be proposed to restore the agreement that should exist between the political law and the civil law, and to preserve the patrimony of families, without, however, affecting the liberty of disposing of property.

"The preservation of families leads to and guarantees political stability, which is the first want of a state, and especially that of France, after so many vicissitudes.

"You will second me, gentlemen, in accomplishing the designs which I have meditated, and in ensuring more and more the happiness of the people whom Divine

Providence has intrusted to my care. You will not be more moved than I am at the considerable alarms which still agitate some minds, notwithstanding the security we enjoy.

"This security, gentlemen, will not be hazarded, depend upon it; I will watch with equal solicitude over all the interests of the State, and I shall find means to conciliate what is required, by the exercise of legal liberties, the maintenance of order, and the repression of licentiousness."

The superiority of the ministers, although opposed both by the party which styled itself liberal, and by the party whose creed, as ultra royalists and ultra religionists, went as extravagantly wrong the other way, was manifested by the decisive majorities by which they carried the election of the committee to prepare the address in the Chamber of Peers, and the election of the presidents in the Chamber of Deputies. In the former, one opposition member was chosen, the archbishop of Paris; but that was a compliment which the ministry allowed to be paid to his ecclesiastical rank. Of the topics adverted to in the speech, the proposed introduction of the law of primogeniture, the expressions relating to the press, and the recognition of the independence of St. Domingo, were the only matters on which much difference of opinion was expressed in the course of the debates upon the address: on each of them the Chamber of Deputies divided, but in all the divisions the ministers were triumphant. On the recognition of Hayti, and the liberty of the press, their majority was small; for on these questions they were opposed by the ultra adhe-



rents of both parties for reasons diametrically opposite to each other. The ultra royalists resisted the recognition of Haytian independence, because it was a sanction to revolt, and a cession of part of the territory of France; by the liberals, again, the conduct of the government was blamed, because the recognition had been an act of the crown, whereas they maintained that, constitutionally, it could take place only with the consent of the legislature. The former party held that the ministers were regardless of monarchy and religion by indulging the press with too great liberty: the latter party declaimed against them as persons who wished to lay it in chains, and extirpate all freedom of discussion.

The whole address was carried, as prepared by ministers, by a majority of 174 votes against 87. The Chamber of Peers, however, made some modifications of the original address. Instead of the decided manner in which the law of primogeniture had been recommended from the throne, the Peers declared they would adopt such measures as "would not restrain parents in the disposal of their property," a provision inconsistent with the system of strict entails which formed part of the plan of the ministers; and in replying to that part of the speech which alluded to the press, they made reference to the rights secured by the charter, and, while admitting the evils and dangers of licentiousness, expressed an opinion that reason, and the conscience of the public were its most efficient preventives. On both these topics the opinion of the higher chamber was greatly influenced by the lawyers. Even the great families were much divided in opinion on

the law of primogeniture, although specially directed to maintain their own wealth and splendor; and the courts of law had always shewn themselves unfavourable to the extension of the *majorat*, or exclusive rights of the first-born. The lawyers, likewise, and even the courts had of late been displaying much zeal, and some independence, in defence of the press. Towards the close of the preceding year, the Royal Court had acquitted the editors of the *Constitutionnel* and the *Courier Français*, who were under prosecution for political libels; and when the judges of that court waited upon the king, on New Year's day, along with other public bodies, to pay him the customary compliments, his majesty received them coldly, and did not condescend to make any other reply to their address than "I accept the homage of the Royal Court." (*Je recois l'hommage de la Cour Royale.*)

On the 11th of February, the minister of finance brought forward not only the budget, but likewise a project of a law for finally closing the public accounts for 1824, which had still been kept open in consequence of the pecuniary transactions connected with the occupation of Spain. This latter was a sore and unpopular subject. France found the protection of Ferdinand a useless load upon her finances; the expenses of the enterprise had much exceeded the anticipated sums: it was with difficulty that Spain could be brought, even now, to strike a balance, and acknowledge a debt, and she had strained her resources to the utmost to be able to make, in the preceding month, a payment on account of 700,000 francs, not 30,000*l*.



These expenses were still more unpopular, and still more warmly was the final adjustment of them opposed in the Chamber of Deputies, because almost a certainty had been obtained, that great part of the money had been grossly misapplied by the frauds of the army-contractor, Ouvrard, and the peculations even of the generals who commanded the army sent into Spain; and it was maintained that no money ought to be voted for the service of that year, until these charges had been investigated, and all the transactions connected with the supplying of that army fully explained. M. Casimir Perrier said, it was evident that a dilapidation of the public property had been committed either by the superior authorities, or by their agents; and he moved as an amendment, "that ministers shall present, in the next session, the accounts of their operations relative to the war in Spain, and propose the definitive settlement of the expenses of that war." The argument of the ministers was, that, in submitting to the Chamber the documents already laid before it respecting the expenses of sending the army into Spain, they had done all that the law required of them; that the expenses of the occupation were diminishing, and no new credit required for them; and that the effect of the amendment would be, to postpone indefinitely the final adjustment of the accounts in question, and excite new discussion regarding matters on which the Chamber had already decided. After a stormy debate, continued during two sittings, the amendment was rejected, and the investigation and punishment of the alleged guilt were left to another tribunal. The

Chamber of Peers now took up the case, as the alleged frauds of Ouvrard affected its character by implicating some of its members as accomplices. Some doubts were entertained of the power of the Chamber to proceed in such an investigation; because no peer had been distinctly named or accused, and because there was no charge of high treason to constitute a jurisdiction in the peers. But, although there was no impeachment, nor any complaint regularly made, it was no secret that the public voice loudly accused the highest officers in the army of having been participators in the contractor's schemes of speculation, and the name of the Dauphin himself, who had commanded the army, was not spared. Count Bourdesolle and general Guilleminiot were specially pointed out as culprits, and the latter was returning, or had been recalled, from his embassy at Constantinople, to meet the charges against him. The Chamber appointed a committee to inquire and report whether they could competently proceed; and, in the mean time, Ouvrard was kept prisoner in St. Pelagie, which had formerly been his residence, under the sway of Napoleon, for pecuniary debits of a similar description. The charges against him were, that he supplied the army sent into Spain with articles in much smaller quantity, and greatly inferior in quality, to those specified in his contracts; that the prices fixed by those contracts were exorbitant; and that he had been able to affect this spoliation by bribing his superiors with part of the plunder. It was only with this bribery and corruption that the peers had any concern, as affecting the purity of their own



body ; for the quantity, quality, and prices, of the articles supplied were mere matters of contract, and, even if the prices were exorbitant, that could only prove the rapacity of the contractor, and the ignorance or carelessness of the minister of war, in concluding the bargain. On receiving the report of their committee, they thought enough had been discovered to justify inquiry, and, by a large majority, a committee, consisting of the marquis de Pastoret, count Portalis, count Julien, and general count Beliard, was appointed to institute a supplementary investigation. The committee continued their inquiries till the middle of July, examining a multitude of witnesses and documents, when they presented a report, concluding, that there were no grounds for proceeding against counts Guillemainot and Bourdesolle, the two peers who, at first, had seemed to be implicated. The Chamber adopted the report ; and, as there was thus no ground of accusation against any of its own members, declared itself to be incompetent. All the weight of the ministry was employed to bring about this termination of an affair which threatened ultimately to involve themselves ; for, although money had undoubtedly been lost to the nation by an improvident bargain, Ouvrard would have little difficulty in allowing that he had taken for his goods the highest price he could obtain : and the negligence or incapacity of those who had contracted with him on the part of the public, would not have added to their popularity. Alluding to the religious jubilee which had just been celebrated over the Catholic world, and the universal absolution of sins which was its greatest benefit, the duke de Choiseul,

in one of his speeches characterized the proceedings in this matter as a judicial jubilee.\*

In the budget for the year 1827, the expenditure was estimated at 915,773,042 francs, and the ways and means were expected to produce, taking as the basis of the calculation the income for 1825, 916,608,734 francs, leaving a disposable excess of 835,692 francs. The expenditure of 1824 had been originally estimated at 990,119,582 francs, and had actually amounted to nearly two millions and a half more ; but the revenue for the same year, estimated at 992,333,953 francs, had exceeded that sum by more than two millions and a half. The revenue required to meet the expenses of the present year was greater than that required for 1821, by 35,371,340 francs. This had arisen partly from an addition which had been made, since the latter year, to the permanent debt, partly from naval expenses to complete the operations of that department in the colonies, which would not be incurred again, and partly from remittances allowed from the revenue of the post office, and other branches of revenue. On the other hand, the ordinary sources of revenue had, during the same period, been increasing. In 1821, they yielded 891,614,678 francs ; while the gross produce for the present year would be

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\* We find towards the end of the year the following paragraph in one of the French journals

“On Tuesday, the ninth of this month, (November) M. Ouvrard is to appear before the tribunal of the Correctional Police, on a charge of corruption ; M. Berryer, jun., has undertaken his defence. The second part of the Memoirs of Ouvrard, in respect of his life and financial operations, is announced for speedy publication.”



916,608,734 francs. The report of the committee of the Chamber of Peers on the budget, was "By the attentive examination which we have made of the expenditure, we have seen, that, if there are several heads under which a reduction may be justly hoped in future, and some which might receive a more useful application, they are collectively useful and judicious."

In the Chamber of Deputies great diversity of opinion prevailed regarding the purpose to which the excess of revenue over the expenditure should be applied. Some members proposed that the duty on strong beer, others that the duty on cider, should be reduced, and others that, in the rural communes, houses of only one story, and the rent of which did not exceed fifty francs, should be exempted from the door and window tax. All these propositions were rejected in favour of the motion of the minister of finance to employ the surplus in reducing the land-tax. Twenty-five millions were voted for the civil list, and seven millions for the Royal family. On the vote for the expenses of the minister of justice being proposed, M. de Labourdonnaye accused that department of protecting and rewarding criminals, and declared that he would never consent to vote the public money to a minister "in whose hand the sword of justice was wielded for the protection of assassination." This charge excited much confusion in the Chamber, till the member explained himself by saying, that he had documents in his possession which proved, that, in Corsica, several assassins, under sentence of death, and others against whom proceedings were commenced, had

been set at liberty by the order of the minister of justice, with an injunction to pass into a foreign country. The minister admitted the fact, and justified it on the ground that from the effervescent nature of Corsican passions, it was impossible to maintain absolute order in the island, and it was necessary to countenance the expatriation of some persons condemned for homicide committed from revenge. But surely it is a new doctrine both in politics and morals, that in proportion to the aptitude of dangerous passions to break forth, the means intended to weaken them should be diminished, and that punishments ought to be more mild and rare, precisely where crimes are most frequent and atrocious. The Papal government has sometimes bribed bandits from their calling by pensioning them off; and they have thus, at least, one motive to good conduct, and the means of living without rapine; but it is very doubtful whether even such a system has ever prevented a robbery or a murder. Relegation from Corsica can scarcely be an evil, and supplies no motive for controlling the angry passions whose indulgence have produced it.

To improve and maintain the internal communications of the country, 422,000 francs were voted, in addition to 28,000 francs for new works, and certainly, considering that thus only about 17,000*l.* were to be expended upon all the roads in France, it is easy to believe in the justice of the complaints, made by some of the members, of the state in which the roads were kept. The annual expenditure, however, upon canals, and other public works, had been gradually increasing.



The minister of the interior stated in a report (made to the king), that this expenditure amounted in 1823 to something under four millions; in 1824 it was nearly ten millions; in 1825, nearly fifteen millions; and the estimate for 1826, exceeded twenty millions. But these canals and roads, instead of being the fruits of a spirit of private enterprise, were the undertakings of a public board; and private individuals, instead of sharing in them, impeded them. The minister complained that, although the compensation proffered to the proprietors of lands through which a road or canal was to pass, uniformly exceeded the market value of the ground or buildings which it was necessary to purchase, the board, with all its precautions, was met by perpetual delays, disputes, law-suits, and losses; and, instead of the assistance which it might reasonably expect from individuals, it was often hampered by vexatious opposition, however clear might be the advantage to be reaped from the proposed measure.

In the British parliament, the opposition had endeavoured to force a reduction of the army: in the French Chamber of Deputies, the opposition to the army and navy estimates was, that they were too low. Ministers were accused of acting so as to reduce France to the rank of only a third-rate naval power, and of adopting a false and pernicious economy. General Sebastiani reproached them more especially with having paid no attention to the construction of steam-boats, which were rapidly bringing about a maritime revolution; and he assured the chamber that all the money now expended in building ships of war was wasted, for the vessels would be useless when-

ever the steam-boat system was adopted, as adopted it must be. The military establishments were still more roundly taxed with inefficiency. The two royal manufactories of muskets, made about two hundred thousand annually, but made them so badly, that it was necessary to subject them to an additional, and expensive process, to render them fit for use. The army, instead of being 240,000 men, which was the peace establishment, consisted of only 231,000; and, for the last ten years, instead of sixteen millions being annually devoted to the repair of the fortresses, the sum so bestowed, it was admitted by ministers, was only four millions. The situation of the frontier, since the restoration, had rather rendered increase imperious, than justified reduction: Swiss neutrality had vanished; Landau belonged to Bavaria; Prussia, a first-rate military power, was on the banks of the Moselle, and could manœuvre her troops within twenty leagues of Paris; Belgium was no longer simply an Austrian province, with a distant government, but had become a kingdom united to Holland, armed with a triple line of fortresses, and these fortresses commanded and inspected by Wellington. "Recollect, gentlemen," exclaimed M. Casimir Perrier, in that theatrical style of rhetoric which characterizes French eloquence, and amid shouts of "Order," and violent and tumultuous interruptions from the mortified national pride of the Chamber, "Recollect the tears of despair which we shed on seeing the Prussians, the laurels of victors in their caps, guarding your barriers, and parading your squares! Do you wish to see the matches again lighted, ready to blow up



your bridges, your public edifices, and that immortal column raised to the glory of your armies." The minister of war admitted that the present military means were insufficient; but they might be expected to improve annually, and could not be insufficient merely from being 9,000 men below the fixed peace establishment. As to the fortresses, Lisle had been neglected during the whole period from 1794 to the restoration, but, since the restoration, 1,500,000 francs had been expended on it.

Although the finances were flourishing, and only required a pacific ministry to keep them so, the variations in the prices of some of the public funds had produced a great deal of individual misfortune and disappointment. They had been most observable in the three per cent stock, which, within a short time, had been up at 78, and down at 59, and had fallen in the confidence of that portion of the public who invested their money as prudent men for security, not as gamblers for stock-jobbing gains. Ministers were accused of lending themselves to produce these fluctuations by shewing an undue preference to the three per cents in applying the sinking fund, and M. Casimir Perrier moved for the appointment of a committee to inquire, whether the laws respecting the sinking fund had not been violated with regard to the holders of the five per cents. He contended that the purchases made with that fund ought to be made exclusively in the five per cents; and he complained that, in violation of the law, the commissioners gave a preference to the three per cents which he designated, with as much warmth and virulence as if he had speculated in them, and had come off a loser,

a wretched abortion, sprung from the immoral union of stock-jobbing and delusion. On the other side it was contended, that the preference given to the three per cents was no injustice to the holders of the five per cents, as the law did not specify any particular stock to be the subject of the operations of the sinking fund, but left the commissioners at liberty to make their purchases wherever they could make them to the best advantage. The motion for the committee was lost by a large majority. A similar display of virtuous indignation against stock-jobbing was manifested by M. Hyde de Neuville and M. Perrier, on a petition for the prohibition of time bargains. M. Villèle checked the career of the latter gentleman by quoting a paper to which M. Perrier had affixed his signature in favour of those very concerns which were now denounced as polluting and corrupting what was termed *France morale*. When lotteries were abolished in England, not a voice was raised in defence of their principle, and the practical evil of their results was monstrously exaggerated. The stake in this country was always too high to create a spirit of gambling in those who would have been injured by indulging it: the lottery was beyond the reach of the lower ranks; and, even in the middling classes, it was never a general or a ruinous passion. In France, as in the other continental countries, and particularly in Italy, it was much more easily accessible, and therefore much more general; but the morality of the Chambers could not be brought to suppress it. M. Villèle admitted that such gaming was improper, and that government, in the game, had a great advantage over the buyers of tickets,



the combinations being such as to make it inevitable that the majority of the players must be losers ; but he asserted that it had been less injurious during the last year than at any former period, and added that "it was in the year 1825, that the riches and prosperity of the country had reached their greatest height." The fact is, that the lottery was too productive a source of revenue to be dispensed with ; and the passions of the Exchange, and the Palais Royal, were too powerful for *la France morale*.

Among the politicians of France there existed the same difference of opinion regarding the value of protecting and prohibitory duties on the importation of foreign products, which reigned in Britain ; and the agriculturists of Essex or Sussex were scarcely more eager to be shielded by legislative enactments than were those of France. The distressed state of agriculture was frequently alluded to during the session ; and, after the budget had been voted, the chamber of Deputies took the state of the Corn-laws into consideration, in secret committee. A committee which had been appointed to inquire into the effect of the importation of foreign corn presented a report, in which they expressed a formal wish that the government would make use of the power vested in it by the existing law of 1819, immediately to secure a more extended protection to native-grown corn against importation from abroad. The committee then proposed the following resolutions, embodying a plan for the future regulation of the corn trade, adopting the system of monthly averages, fixing a price at which importation should be altogether prohibited, and imposing, when corn should have risen above

that price, a permanent and invariable duty upon the foreign grain which might enter, excepting that the duty should be higher upon grain imported in foreign ships than in French vessels.

"His majesty shall be humbly requested to cause to be presented to the Chambers a *projet* of a law containing the following provisions :

"1. In future, there shall be for the whole realm but one single limit for every kind of grain, under which foreign corn cannot be imported for internal consumption.

"2. The limit of importation shall be—

	fr. per hectolitre
For Wheat, .....	26
Rye and Indian Corn, .....	17
Barley, .....	14
Oats, .....	10

"3. The average price of all the regulating markets designated by the law of the 4th July, 1821, shall be officially published every month, without distinction of the above four classes.

"4. There shall be received, upon the importation of foreign corn, a permanent duty, by metrical quintal, of twenty-five centimes by French ships, and of two francs by foreign ships. This duty shall be raised to fifty cents for flour in the first case, and to four francs in the second case.

"5. The exportation shall be prohibited when the average price of corn shall have attained the limit fixed for the importation."

In discussing the law imposing the duties of the customs, many opinions were expressed, and many propositions made, approaching to a more liberal system of commercial intercourse, and others again of a very opposite character. The high duties on wood, iron, and foreign



wool, were severely attacked, as checking the exchange of commodities, and provoking other countries to make reprisals. An unsuccessful attempt was made to reduce the duty on iron one half. The restrictive measures, which prevented the exportation of wines into Belgium and other northern countries, and by laying on articles to be imported in return a duty which excluded them altogether, were particularly inveighed against; and M. Riboul said, that if this prohibitory system were persevered in, the inhabitants of some departments would soon be obliged to renounce every kind of exchange, and consume the whole of their own produce. On the other hand it was wished to augment the duty on foreign linens; and an amendment was moved containing an impost which would have been equivalent to a prohibition, but the more moderate views of the minister of finance prevailed. He maintained, in point of fact, that the French linens required no protection, because even in foreign markets they were preferred to those of every other nation; and several members allowed that the cotton manufacture stood much more in need of being guarded against competition.

In her commercial regulations, likewise, France followed the example of Britain, in departing from the jealous system of discriminating duties, and trading upon principles of reciprocity. In the month of January a commercial treaty was concluded between her government and that of England, by which the vessels of both countries were put upon the same footing. The ships of either country, departing from or entering into, the harbours of the other, were to pay no higher rate of tonnage, pilotage, light-

house dues, and other similar exactions, than should be paid by vessels belonging to that other country itself. Goods imported into Britain in French vessels, or into France in British vessels, were to pay the same duties as if they had been imported in vessels of the country to which they were brought, with this exception, that the produce of Africa, Asia, and America, should not be imported from these countries into Britain in French ships, nor from France in British ships, for the purpose of home consumption in Britain, but only to be warehoused, or exported; France reserving a power to make a similar declaration. European productions, again, were not to be imported into France in British bottoms for home consumption, unless they had been loaded in some port of the United Kingdom, Britain reserving the right to make a similar declaration against the importation of such goods in French vessels. It was further declared, that all goods which might be legally exported from either country, should pay the same duties, and be entitled to the same drawbacks and bounties, on exportation, whether exported in the vessels of that country or of the other; provided that they sailed directly from the ports of the one to the ports of the other; that no fishing boat, driven into a port by stress of weather, should pay any dues, unless a cargo, or part of a cargo, was there taken on board; and that neither country should grant to any third party greater privileges than by this treaty they granted to each other.

The principles and provisions of this treaty, were received with much approbation by the Chamber of Deputies, where they seemed,



however, to be so much misunderstood, that although they were undoubtedly a relaxation of the ancient system of British maritime policy, and had many and powerful enemies in this country as being injurious to its commercial prosperity and its naval power, M. de St. Chemans hailed them "as a first step towards a Navigation act similar to that which had so powerfully favoured the development of the commercial riches of England." They were a first step towards the adoption of principles of reciprocal freedom in commercial intercourse; the Navigation acts were founded upon principles of exclusion and restriction. M. Casimir Perrier wished to improve upon the measure, by imposing upon French vessels coming from Britain into French ports, a duty not exceeding that imposed upon foreign vessels; for by paying less in England, and more in France, than they had done before, the owners would still be gainers, and a large sum would flow into the Treasury. "Suppose, said he, "to take round numbers, that before the treaty our ships paid 3000 francs in England, and nothing on their return to France; a thousand ships, then, paid three million francs in England, and nothing at home. By the treaty, the English have reduced their duty, I will suppose, to 1000 francs, and the French government lays a duty on our own vessels to the same amount. The thousand ships, then, will pay only two millions instead of three, one million to England, and one million to ourselves. The owners will gain a million; and our Treasury will receive a million which it did not receive previous to the treaty."

The proposed introduction of

the law of primogeniture agitated Paris much more deeply than any other measure of policy foreign or domestic. No question raised since the Resolution had excited so much popular and adverse feeling; the re-establishment of the censorship would not have been resisted with a clamour and ardour so nearly approaching to what might have been expected in defending at once a personal possession and a national right. The elevation of an eldest son above his brethren seemed to be connected, in the minds of the Parisian public, with the horrors of the darkest times of feudalism, and the insulting tyranny of an exclusive oligarchy; politics and economics were equally unable to convince them that those who are born to have power ought to be able to exercise it in a spirit of independence, and that it is no advantage to a nation that every man should be his own farmer. The journalists and the pamphleteers both raised and repeated the voice of Paris—and Paris is France—that primogeniture was not merely a violation of the charter, which said not a word upon the matter, but the invasion of the ordinary rights of humanity; and an attempt to resume the national domains would scarcely have come more home to every man's supposed interest, or have covered the ministers with more unpopularity. The opposition to it, out of the cabinet, was nearly universal: for it was far from finding unconditional favour in the eyes even of the peerage, whose influence and respectability it was intended to support.

The language, in which the measure had been mentioned in the Speech from the Throne, was moderate and sensible, and had



nothing about it calculated to excite alarm in sober-minded men. "The progressive subdivision of landed property," said the king, "essentially contrary to the principle of monarchical government, would weaken the securities which the charter has given to my throne and to my subjects. Means will be proposed to restore the agreement which should exist between the political law and the civil law, and to preserve the patrimony of families, without, however, affecting the liberty of disposing of property. The preservation of families leads to, and guarantees political stability, which is the first want of a state, and especially of France, after so many vicissitudes." This was a sufficiently correct enunciation of the political virtues of the right of primogeniture. An infinite divisibility of property necessarily leads to poverty, poverty in each member of a family increasing with the number of generations which pass away. The inevitable consequence is, that a hereditary nobility becomes, under such a system, a race of titled paupers; and of all kinds of men, no class can be at once more useless, and more dangerous, both to king and to people, than a poor and privileged aristocracy. Their real wants, and much more the artificial wants incident to their station, render them dependents upon court favour, making them pensioners of the hand that feeds them, and hired servants of that very power which, in a mixed monarchy, they are created to restrain. This is the natural course of things; in every struggle between the Crown and the subjects, they will incline to the former, for their rank, their habits of life, their very vanities are all connected,

and, as it were, identified, with its power, and separate them from the sympathies, and modes of thinking, of those who are below them. The monarch, again, finds that the political powers vested in them by the state, instead of being troublesome and efficient restraints upon his prerogative, are admirable instruments for the execution of his plans, and the extension of his authority: under the form of a constitutional legislature, they are the express image of the executive, reflecting from their glittering, but dead, surface, its every feature and motion. Gratuities are bestowed, and offices are created, to supply their wants; the people pay their own enemies; and the constitution gradually breathes its last in that state of political lethargy in which the lineaments of public liberty remain, when the spirit is benumbed and expiring. France had only to look at the condition of her own nobility before the Revolution, to know what a poor and hereditary aristocracy must come to.

The economical effects, too, of such a progressive subdivision of property have nothing to recommend it. If it be true that land cannot be cultivated to its utmost productive capacity without a large capital, it must always be receding from that limit in the hands of men whose capital is diminishing, generation by generation, in a geometrical progression. If it be true that it is an advantage to a country to raise the greatest possible quantity of food by the smallest possible quantity of labour, that country cannot be in a prosperous course, where the number of those who raise food only for themselves or their families is perpetually increasing. It was not a blessed time, either in England, or in any



other country, "when every rood of ground maintained its man." In every great country there must be large properties to supply the sources of any thing like permanent wealth or competency to the people. Where the labour of the whole population is required to raise the food of that population, national wealth can never accumulate, and in proportion to the number so employed is the distance at which the country is removed from national affluence. Hence France, notwithstanding her soil and climate, has never been a rich country, her agriculturists becoming weaker and weaker, poorer and poorer by every successive death of the head of a family. Not above one third part of the population of England, a less fertile land, beneath a more inclement sky, is employed in raising the food of themselves, and eight millions of their countrymen, and yet the national wealth and resources of England are something which, till our own day, the world had never seen. Ireland, by following in regard to her tenants, the system pursued by France in regard to her proprietors, has covered her surface with penury and misery; and, as a state, has become so exhausted as to be scarcely able to bear the touch of taxation. Yet, in the debates in the French chambers, the French legislators gravely lamented that England should have adopted so pernicious a course, and that we were not blessed with the same law of descent which prevailed among themselves.

The project of law presented to the Chambers was the following:

1. In every inheritance accruing to the direct descending line, and paying 300 francs land tax, if the

deceased has not disposed of the part which he may devise according to law, this portion shall be given under the title of preciput legal to the eldest male child of the deceased proprietor. If the deceased has disposed of a part of the portion which he may devise, the legal preciput shall be composed of the part which he has not disposed of. The preciput shall be taken out of the real property of the inheritance, and, in case of insufficiency, out of the personal property.

2. The enactments of the two first paragraphs of the preceding article shall cease to have effect, when the deceased has formally expressed his will by deed, *inter vivos*, or testament.

3. The property which may be disposed of according to the 913th, 915th, and 916th articles of the Civil Code, may be given by deed, *inter vivos*, or by testament, charged with the condition of transmitting them to one of several children of the donee, born or to be born to the second degree inclusively. The articles 1051 to 1074 inclusively of the Civil Code, shall be observed in the execution of this disposition.

Thus, the proposed law fell far short of the rule established in this country; for it gave to the eldest son of a person dying intestate, not the whole real estate, but only a limited portion of it. The third article, which gave a power of substituting a second heir, was of the nature of an entail, and yet was so limited as to be absolute freedom of disposal compared with the entails of Scotland, by which the property is tied up in a particular line so long as there are heirs of that line *in posse*. This clause, however, though evidentl



quite as aristocratic as the others, and tending more directly to the perpetuation of hereditary wealth, because it deprived the first heir, in so far, of the right of disposal, was regarded with less abhorrence than the simple provision regarding the preciput in an intestate succession. The discussion was long, and in the Chamber of Deputies, violent. There the debate lasted three days, and was finished on the third only in consequence of several members who had inscribed their names, declining, from the impatience of the Chamber, to exercise their right. The opponents of the project, when they quitted rhetorical and sentimental declamation, had little to say against it, except that it was contrary to the manners and feelings of the people, and that the existing system had not produced, and would not produce, any mischievous subdivision of property. To the argument drawn from the example of England they answered: The English are an emigrating people; they have their East and West Indies, their Australasia, their Canadas; their possessions are scattered all over the globe, and in these they quarter their younger sons. But we have no such resources: our cadets must either starve, or be quartered upon the public; and the church and army, as before the revolution, become the exclusive property of the sons of great families. The speech of M. Villèle contained almost all the sound sense that was spoken on the subject, and his statistical details furnished irrefragable proof of the practical consequences of the system. "We are asked," said he, "for proof of that excessive parcelling out of lands which this project is to remedy? But is

there need of proofs for such a fact? Is it not the Chamber itself which has pointed out its dangers to the attention of government? The deliberations of councils general every year cry out for a prompt remedy for an evil, the progress of which is immense. What proprietor is there who does not see country houses taken down, and lands divided into pieces all about them? In whatever direction you traverse France, the influence of this indefinite division must be remarked, and the traveller must observe it even in the abandonment of the means of transport suitable to the wealth of great proprietors alone. Nevertheless, precise details are looked for:—but the minister would not have waited till they were asked for, if, in producing those which he could collect, he was not afraid of committing, in some sort, an act of Charlatanism, unworthy of the good faith of the king's government. In such a matter, however exact may be the returns and the tables of figures, they cannot furnish a proof incapable of being disputed. The documents collected to day cannot give information, unless we could compare them with returns made at a former period. It is, therefore, without the hope of any great advantage, that government has ordered researches to be made; and it is also without the hope of founding any argument on them, but merely to satisfy the desire of several speakers, that it has produced that information which it was able to procure. The returns have been made from the registers of several departments, presenting altogether an average population of 363,580 individuals. Out of this number the registers



of 1815 present 149,311 taxable—of them, 116,433 pay less than 20 francs (16 shillings) impost—9,616 pay from 20 to 30 francs. (16s. to 24s.)—9,243 pay from 30 to 50 francs. (24s. to 40s.)—7,519 pay from 50 to 100 francs (2l. to 4l.)—5,623 pay from 100 to 500 francs (4l. to 20l.)—578 pay from 500 to 1,000 francs (20l. to 40l.)—and 302 pay 1,000 francs (40l.) and over.

In 1826, the results are as follow, from the same registers:—161,739 are taxable, of whom 133,903 pay less than 20 francs—8,983 from 20 to 30—7,915 from 30 to 50—6,083 from 50 to 100—3,649 from 100 to 300—(this new class has been formed on account of the electoral census, to which the old tables paid no attention)—580 from 300 to 500—411 from 500 to 1,000—and 206, 1,000 francs and upwards. It may be true that the registers do not give the exact number of proprietors; but, if it be taken for granted that the comparison of the two returns may give an exact idea of the progressive division of lands, it will be found that, in ten years, the number of persons paying under twenty francs has increased about a ninth—while those who pay above one hundred francs has diminished a third, which is far from offering a satisfactory result.

“To appreciate the definite effect of the law of equality of divisions, it may perhaps be sufficient to recollect in what spirit, and in the midst of what circumstances, this law was made; but, if figures be called for, let an example be taken, and it will be seen that in Paris, out of 7,649 successions opened in 1825, 6,568 were opened at intervals. Of the 1,081 remaining, fifty-nine only

contained dispositions advantageous to the children; the others were bequests to strangers. By this it may be judged what has been the operation of equal partition, and whether it is necessary to prevent its effects. England is spoken of—but what other country offers an example of equal industry, co-existing with the greatest accumulation of landed property? The resources which she offers to her cadets are talked of—but is France less fertile in resources of the same kind? has she not even this additional advantage, that all the outlets opened to her industry are her own; that the products of her manufactures are consumed in her own interior, while England is obliged to look for consumers from abroad? France then, in this point of view, has no reason to envy England, and nothing hinders her, after the example of her neighbours, from attempting to introduce within wise limits, a little fixedness in properties and families. Of what consequence, it is said, is this fixedness to their fortunes, which decrease and perish, and are replaced by others which spring up and augment without there being any necessity that society should disquiet itself about the change? If fortunes in money are spoken of, the minister agrees that the losses of one are compensated to a certain point by the gains of another; but if fortunes interfere one with another, it is very different with landed properties. Lands may be very easily divided, but, after they have been divided, it is not easy to reunite them. The greatest sacrifices will sometimes be ineffectual to obtain success in such an undertaking. A man becomes naturally attached to the soil which



he has purchased, or inherited, from his ancestors. The smaller the inheritance, the stronger very often is his desire of retaining it. You may cover it with gold without prevailing on him to yield it. Therefore, we nowhere see a great property formed out of the fragments into which it had been divided—and it may be truly said, that in all countries the great domains have been generally formed at the epoch of a conquest. Small properties are not an evil; but it is necessary that moderate properties should be preserved, and that great properties should not be entirely dismembered. Such is the intention of the law. All the effect expected from it is to arrest a little the progress of the evil, and maintain for a longer time the actual state of things, or a state something resembling it. In order to appreciate this, we must know what that state is. During the course of the Revolution, the properties of the clergy and the old corporations were sold, and have passed into the hands of 666,000 purchasers; 440,000 individuals have purchased the lands of twenty-seven thousand emigrant families; the properties of communes have been shared among 110,000 persons; finally, 100,000 hectares of forests have been sold since the restoration: in short, in consequence of these sales, 1,222,000 new proprietors have succeeded 30,000 old proprietors, without speaking of the purchasers of the forests, or the consequences of later divisions.

“From this statement it may be judged, that we need not fear too great a concentration. Division has produced all the effect that any one could desire. France beyond contradiction has enough of

small properties; she has also enough of moderate properties; perhaps some great properties, in addition to what she has, might be necessary. It is because the actual state of things has produced so much comfort among the people, such a security for government, such an extension to our commerce, that we desire to maintain it without alteration. To its maintenance, besides, is attached the security of our political institutions. The limited monarchy, under which we have the happiness to live, cannot in reality do without the influence of great properties, of this necessary bond which attaches the different parts of the social edifice to one another—of this indispensable support of the throne and public liberty, which the indefinite division of properties leaves in isolation, feebleness, and abandonment. Cultivation itself loses more than may be thought by the parcelling out of great properties. The small proprietor cultivates at greater loss, and, if we compare what his acre costs him with what the acre costs the great proprietor, it will be seen that the spade is more expensive than the plough, that cultivation is like all other branches of industry, and the more it is restrained the less profitable it is. On the other hand, it is not the small properties, but the large, which provision the markets, and it is the goods brought to market that support the population of cities, and all the manufacturing part of the nation. Small properties, no doubt, swell the population; but this excess of population absorbs all the products of the earth which it brings into existence, and there remains nothing to assist the wants of the remainder of society.



The law was carried in the Chamber of Deputies by a majority of 261 voices against 75 ; but in the Chamber of Peers, the first paragraph of the first article which, in the case of intestate succession, gave the eldest son as preciput, the whole of the portion of which the deceased might have legally disposed, was rejected by a majority of 120 to 94. With this alteration, the law passed ; the last clause which allowed the testator to name the heir of his heir among that heir's children, being carried by an overwhelming majority. A man has an interest in extending his own powers over his property, which he does not feel in enabling the law to make such a division of it, as perhaps would not have been accordant with his own wishes and feelings. So great, however, was the triumph supposed to have been gained by the popular voice in the rejection of the first provision, that many quarters of Paris were illuminated, and, in the intoxication of victory, the opponents of the minister were reckoning on his downfall. But the question was no party or political question. Perhaps the measure was urged with too much precipitancy, when so loud a clamour had been excited against it ; for such changes ought always to be introduced gradually, and with much deference even to the prejudices of the people ; but M. de Villèle was no more interested in the law of primogeniture than the most vehement of his opponents, and a failure to carry a measure not essentially ministerial could scarcely be fatal to the existence of the ministry itself.

Although for several years, the Slave Trade had been formally abolished by France, though she

was bound by treaty to England, to join heartily in effecting its extirpation, and had enacted severe laws against those who should be detected engaged in its prosecution, she had never received much credit for being in earnest. It was indubitable that the traffic was still carried on in her colonies to a very considerable extent, in despite of the naval force which was stationed to prevent it ; but a much more serious and dishonouring fact was, that in Nantz, Bourdeaux, and other French ports, vessels were fitted out for slaving voyages, and were allowed, by the carelessness or the connivance of the authorities, although the mode of their equipment told every one the purposes for which they were intended, to proceed unmolested to their destination. Either the law was too feeble and imperfect to meet the boldness and expedients of the traders ; or those to whom the execution of it had been intrusted, winked at its violation. The precautions adopted by government to secure the due execution of the law, certainly did not at present justify the suspicion that they had been taken merely as a covering against the disgrace of an avowed encouragement of the trade, under which the colonial market might still be supplied, without compromising the character of the mother country. France, indeed, had not followed the example of Britain and America, in declaring the trade to be piracy ; the French politicians objected to such a measure that it would expose their flag to the insult of subjecting the vessels which bore it to be visited by British cruisers ; but the force stationed abroad, and the regulations established, and proceedings carried on, at home, were fair proofs



that government was anxious to suppress the trade, however much they might have been mistaken in the efficacy of their means, or the honesty and vigilance of the subordinate officers. On the coast of Africa were stationed a frigate, a sloop of war, and six smaller vessels; and another frigate, with three smaller vessels, cruized off Cuba, for the purpose of intercepting slave-ships. The governors of French colonies and naval officers commanding in the West Indies, Cayenne, and Madagascar, had received injunctions to use all due vigilance, and to seize all French vessels which might attempt to trade in slaves: orders had been issued from the department of the marine, addressed to all king's ships on their leaving French ports, to assist in the repression of the traffic, by boarding and searching all French vessels suspected of engaging in it, and to detain those whose lading and equipment furnished proof of their being slave-ships. There was held out to the captors a premium of 100 francs head-money, for every slave brought in, to be employed in the public works; and the French consuls on the western coasts of America were authorized to sequester any French ship convicted of trading in slaves, with orders to send her to the nearest French colony for adjudication. At home, the naval authorities in the different ports were required to throw every obstacle in the way of the clearance of any vessel, whose outfit and general equipment might appear suspicious: they were commanded to be vigilant in preventing the shipment of manacles for fastening slaves together, as also of a greater number of water-cocks or boilers than might

be strictly necessary for the crew, and not to deliver the muster-roll in cases where the number of the crew exceeded that usually employed in vessels to which no suspicion attached. All contraventions of the laws prohibitory of slave-trading were judicially provided against; and since 1817, 153 cases had been submitted to the courts abroad and at home, which led to 53 convictions and 74 acquittals, leaving 26 in which the legal procedure was not yet finished.

But whatever the good faith of the government might be, either their plans were badly seconded by those to whom the execution of them was confided, or the law itself was unable to grapple with the evil. The trade continued, and the harbours of France were disgraced by being the scene of the preparations made for it. The law of Britain might be violated occasionally in a remote colony; but it was never suspected that slave ships were fitted out from Liverpool or Bristol; while in France, both the public voice, and judicial proceedings, proved, that individual love of gain was too powerful for the law. The very number of prosecutions which had been brought, implied a strong belief of being able successfully to evade its prohibitions; and such a belief cannot exist, or, at least, continue to exist, where good law is faithfully and diligently administered. A petition from the merchants of Paris and Havre was presented to the Chamber of Deputies, praying for the enactment of severer laws, stating that the traffic was carried on daily under the French flag, with scandalous effect and activity, and that the law intended to suppress it had only increased its horrors. So long,



they said, as the trade was legal, there were regulations prescribing the number of slaves to be carried on board of a vessel of particular dimensions; but now, when the trade and the regulations for conducting it were equally abolished, three or four hundred slaves were crowded into a space in which formerly not one-fourth part of the number would have been immured. The committee appointed to report upon this petition, found themselves compelled to admit the facts: they declared that they found it impossible to doubt of the existence of the trade, in spite of the laws, and of the measures taken by government to insure their execution. They agreed with the petitioners, "that it was necessary to seek the means of rendering the existing laws more efficacious, and removing the obstacles which stood in the way of a complete suppression of a traffic, the impurity of which was a blot on the French name;" and they therefore proposed, that the petition should be referred to the president of the council of ministers. General Sebastiani and Benjamin Constant argued, that the whole blame lay with the ministers; for either they did not faithfully execute a sufficiently efficacious law, or they betrayed their duty in not proposing measures which would be so; and they declaimed loudly on the inhuman practice of slave-ships, when chased, throwing the negroes over-board, to conceal the nature of the cargo which they had carried. To this, M. de Villèle answered very sensibly, that no new law was required to punish such atrocities. "Throwing negroes into the sea, is murder, and punishable accordingly. Insisting on such things is merely empty declamation." On

the other parts of the question, he said that government had gone to the full length of their powers. Even slave-ships and their commanders that had withdrawn into foreign countries, had been proceeded against; and, at that moment, the question of the legality of such prosecutions, which had been ordered by government, was pending before the court of appeal. To increase the severity of the law might be injurious to the very persons whom it was wished to protect; for if, as the petitioners alleged, the traffic was now carried on with precautions against detection which exposed its miserable victims to greater sufferings than before, would not the effect of making the punishment capital be, that those who followed the trade, would, to escape from the gibbet, adopt precautions still more inhuman than those they now practised to escape from confiscation? "The real cause of the evil" said he, "lies in the difficulty of applying the law. Therefore it is, that the ministry redoubles its efforts and its precautions, and it is thus that it will arrive at the end which it proposes, much better than by a more severe penalty. We must arrive insensibly at the point; and we have already made a great advance, since there is no hesitation to apply the law. Do not doubt but that we shall immediately have fewer complaints. While this is our conviction, it would be on our part an act of weakness to give way to declamation, and to adopt measures, which, instead of reaching the object, would carry us away from it." A M. Dudon actually spoke feelingly of the misery of the captains of slave-ships: "torn from their country, and their families, and reduced to

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serve as common sailors, for having broken the law which prohibits the trade ;” and he seriously thought, that no member who had seen a slave-captain thus reduced, would ever propose to aggravate the enormity or the punishment of his offence. Probably M. Dudon meant, that a detected slave-captain was afraid to come home to enjoy the fruits of his infamous traffic. The same member asserted that the slave-trade was carried on by England to a greater extent than by France ; that British vessels took in their cargoes on the coast of Africa as usual, carried them to Madagascar, and evaded their law, by introducing them into the British colonies as old slaves imported from that settlement ! Such were the statements gravely made in the French legislature.

The proposal of the committee on the petition was not adopted, and the Chamber got rid of the subject by passing to the order of the day ; but the petition itself, as well as the admissions and opinion of the committee, were unequivocal proofs of the progress which the public mind in France was making upon this interesting question.

The French politicians, at least the opposition politicians, always contrived to mix up with the slave-trade the assistance said to be given by their government to Turkey against Greece, and which they denominated the white slave-trade. They did not confine themselves to the propriety of government maintaining a strict neutrality, but complained of its not preventing individuals from lending their private aid to the Turks ; abused it for allowing ships to be built in French ports for the Turkish commanders, and transporting the treasures of Ibrahim Pacha from Egypt

to the Morea in a French ship of war ; and carried their wishes so far as even to call on the Chambers to compromise the government, by voting money for the use of the Greeks. In the debate on the king’s speech, Benjamin Constant, who, with general Sebastiani was the great leader of the Philhellenes in the Chamber of Deputies, moved the following paragraph as an addition to the address : — “ Finally, Sire, your faithful subjects, deputies of the departments, dare to supplicate your majesty to consult, in your wisdom, what methods are to be taken to save these unhappy Christians, who fall in thousands beneath the sword of the infidels ; and, above all, to prevent Frenchmen, whom their country and Europe disavow, from seconding the ferocious enemies of the Christian name ; for, if we see with indifference our eastern brethren massacred, all protestations of respect and love for that holy religion which they profess as well as we, will seem, in our mouths, a cruel and bitter derision.” It was not true, in point of fact, that thousands of Christians were perishing beneath the sword of the infidels ; military success had as yet been pretty fairly, and savage massacre in cold blood had as yet been equally divided between Turks and Greeks ; and what sort of policy would it be to lay it down as a rule, that whenever fortune favours Turkey in a war against Russia or Austria, every other nation must hasten to protect them, for the sake of Christianity, against the power of their enemy ? Both good policy, and the real justice of the cause, may often compel every good statesman to wish success to “ the sword of the infidel.” No wise go-



vernment would act on the ideas which inspired M. Duhamel when, in a debate on the navy estimates, he described the war in Greece as one "of which the politician can weigh the events in his brazen balance, but all those behold with indignation and enthusiasm, who prefer liberty to slavery, the Cross of Jesus Christ to the Crescent of Mahomet."

In the Chamber of Peers, the duke de Choiseul declared, with the usual mixture of bad taste and egregious vanity so ordinary in French rhetoricians, "that anathemas were pronounced against the enemies and oppressors of Greece, against all who furnished arms, or afforded military instruction, to unbelievers in the cross; that Europe, led by the example of France, was pouring forth gifts and offerings for their brethren in the East, and opening a new Crusade of benefits and generosity: that, next to the honour of being a French peer, was the honour of being a member of the Greek committee; that however the barbarous policy of cabinets might crush the glorious cause, his name, and those of other Greek committee-men would be consecrated by posterity for their attachment to liberty, religion, and humanity; and that the greatest fault of the budget was, that it did not contain a vote in favour of Greece." The more sober, rational, and practical views of the ministers, as opposed to these crude ebullitions of superficiality and sentimentalism, were to be learned from the report of a committee, to whom a petition connected with the Greek cause had been referred. The report of the Committee was the following:—

"The interest with which the Chamber has heard in a recent de-

bate the eloquent expression of the sentiments which the misfortunes of Greece inspire, proves that it is unanimous upon this point. They are, in fact, unfortunate men, Christians, who combat with courage, not to defend a political opinion, but to save their property, their lives, their religion. On seeing them fall by thousands under the sword of the Turks, who could refuse his pity to so much suffering—his admiration to so much courage? But the cause of Greece has served as a pretence for some men to attack the government, and the Chamber has thought, with reason, that it would not become the government to meddle with these attacks. It has thought that the silence of all other nations would be sufficient to justify the conduct of government. How, in fact, could France take upon herself to light the torch of discord, and throw, perhaps, all Europe into a general war?

"These considerations have determined us to propose to you, not to receive a proposition, which is not the mere expression of a sentiment of pity, but which would be, if taken into consideration, the approval of a political system which presents the greatest danger."

Specific charges of direct interference on the part of the French government to give assistance to Turkey, and thus violate the neutrality which she professed, were capable of more direct and specific answers. It was alleged that the ministers had supplied officers to Ibrahim; that, under their eyes, his vessels had been built at Marseilles, and the cannon made that were used in the siege of Missolonghi; that they allowed agents to recruit for him openly



in France, and permitted the officers whom he enlisted to retain their military rank; and that, after the expedition of Ibrahim into the Morea, his treasures had been transported from Alexandria to Navarino, in a French ship of war. In so far, however, as any of these accusations were founded in fact, it did not appear that they could fairly be imputed as matters of blame to the French ministry, although it might well be, that the ministers took no warm interest, and could have no direct interest, in the success of the Greeks. It was true that the treasures of the Egyptian army had been transported to Greece in French vessels; but every officer concerned in that act had been recalled, as well as the commander on the station, and had been punished. Vessels had been built at Marseilles for other potentates equally unchristian as the pacha of Egypt, without objection; they had been built for the dey of Algiers, although his object and interest were, to employ them against every Christian power in Europe. The pacha had been allowed to build a frigate and a corvette; but he had been allowed only to build them, not to arm them. If there were agents in France recruiting for him, it was difficult to see how government could restrain them, when their proceedings were justified by the conduct of their very opponents; for surely it would be no observance of the national neutrality, if the government prohibited the agents of Turkey from begging or bribing for their master, while the Greek-committee men, and their agents, were not only collecting men, arms, and money, in every part of the kingdom for the service of Greece, but boasted publicly in

the legislature of the success which attended their exertions. Sevè, a renegade, over whom France had no longer any power, was the only officer in the Turkish army who had borne a French commission; but several of them were to be found in the ranks of the Greek forces. Government, if it wished to preserve an impartial neutrality, could only grant to both parties, the liberty of doing such things or grant it to neither. The adherents of the Greek cause accused the French squadron in the Levant of various acts of hostility towards the Greek maritime forces; but the reports of admiral de Rigny, who commanded on that station, refuted the charge. According to these reports, of the transports forming part of Ibrahim's fleet, which reached the Morea in November, 1825, some were Austrian, some English, some were Spanish, Tuscan, Sardinian, or American, but not one was French: on the request of the admiral, Ibrahim had delivered up to him all the female slaves within his reach, purchased from his own soldiers, and they were sent to Napoli di Romania. An account of the French having fired upon a vessel of the Greek admiral Canaris was contradicted by a declaration under the hand of Canaris himself: from the commencement of the troubles, the French fleet had served as an asylum to upwards of seven thousand Greeks, men, women, and children; it had never carried either troops or money to the Turks in the Morea, and had never fired on a Greek vessel, except on pirates for the defence of French merchantmen. The cannon used in the siege of Missolonghi were not French cannon; the officers who directed the siege were not



French, but Piedmontese and Neapolitans. The renegade Sevé was the only Frenchman in Ibrahim's army, and he, whatever might be his reason for keeping aloof from active operations, had always remained, during the last campaign, in the rear, in the vicinity of Modon.

It was not without much resistance by the ultra-royalist party, that the indemnity stipulated for the French colonists of San Domingo, when the independence of the Haytian republic was recognized, was carried. The opposition was, not to the principle or the amount of the indemnity, but to the recognition itself, which was denounced as a concession made to republican principles, a new sacrifice to the interests and policy of Britain, and an unconstitutional alienation of part of the inalienable territory of France. Count Berthier held the re-conquest of the island to be the easiest exploit imaginable, an enterprise that would incontestably be successful. San Domingo, he said, had only about 10,000 men for its defence, and its population did not exceed 400,000; but, on the same ratio, France, with a population of thirty millions, could supply an army of 750,000 men for its attack. Besides, the black population would form themselves into regiments on the side of the invaders, and fight as the vanguard of the French army, like the sepoys in British India. Nay, a few active and loyal subjects, supported by a few regiments and a few ships of war, would have been sufficient to bring back the colony under French domination. "Only promise the black population its liberty, and to each family a piece of ground in absolute property; only make these pro-

mises in the name of the king of France, a name which still retains all its grandeur in the recollection of the mass of the population, and the island is yours. That," exclaimed the orator, "that, gentlemen, is the way in which I would have conceived the conquest of San Domingo." The illegality, again, of the recognition was inferred from the parliament of Paris having refused to ratify the cession of Guienne to England after the Battle of Poitiers. M. de la Bourdonnaye asked the Chamber, if they would not have spilled the last drop of blood, rather than ratify the treaties of Pavia or Bretigny: and there might have been something in the question, if the spilling of French blood would necessarily have led to the recovery of San Domingo, and if the recovery itself would have counterbalanced to France the money and the troops which she must have squandered in effecting it. To these topics of declamation were opposed the simple facts, that the island had been independent, beyond all question, for thirty years; that its separation from France had become complete; that ideas of re-conquest were chimerical, for the climate would make it the grave of every French army that entered it; and that, devastated as it had been, and all the sources of its commerce blighted, by a civil war of long duration and atrocious character, its possession would not be a gain, but a burthen. The liberals blamed the way of making the recognition, rather than the recognition itself. It was an act, they said, beyond the royal prerogative, and an arbitrary assumption of power pregnant with danger to the country. Only the legislature could dispose of any part of the property of the state. If such



a power be given to the Crown, fortresses may be sold or pledged for the basest purposes, and the country laid defenceless at the feet of foreigners. These apprehensions were equally inconsistent and chimerical. It may, or may not, be proper, in a mixed monarchy, to give the Crown the power of making war, and concluding peace; but when, as in France, it has been invested with this power, it is contradictory to refuse it a right which may often be indispensable to peace. How frequently has the cession of fortresses been the very object of a war, and the condition of a treaty? Who imagines that, in 1814 or 1815, the allied powers would have desired the sanction of a French legislature to the cession of the left bank of the Rhine to the Netherlands? Nor is there any danger of kings ever becoming fond of the exercise of such a prerogative. Necessity is the only thing that will compel a monarch to part with his territories or his fortresses; and cases of such necessity can never be met by any strict and invariable rule. Where necessity does not interfere, public opinion will prevent, or will remedy the operation of other motives; and where no public opinion exists, no formal want of prerogative would be efficient.

One measure connected with San Domingo placed the French government in a less favourable light. A Mr. Kingston, an Englishman, had rendered great services in 1792 to refugees from the island, and afterwards to the exiles of St. Pierre and Miguelen, whom he had transported, the former from Bermuda to Charlestown, and the latter from Halifax to London, at a pecuniary expense to himself of about 1,100*l*. He now presented

a petition to the Chamber of Deputies, praying to be allowed some remuneration. The committee to whom his petition was referred, admitted his services; they acknowledged that he had not only saved a great number of the French colonists, but had done so at a great pecuniary sacrifice. They recommended to the Chamber, however, not to recognize the claim; because the government had not given a pecuniary guarantee on behalf of the colonists of San Domingo, and therefore was not a debtor to the petitioner; and because the moral obligation had been already discharged by the government granting Mr. Kingston an advantageous maritime commission. This favour, which was held to have discharged the obligation, had consisted in giving him the benefit of a flag of truce, which, in time of war, was no doubt an advantage; but, having been driven by stress of weather into one of the English West-India Islands, on his voyage from France to the United States, he was taken by a French privateer, and his protection declared void, and his vessel and cargo confiscated, by the sentence of a French colonial prize-court. This was the whole remuneration now set up against a debt incurred thirty-four years before. But the motion for dismissing the petition, by passing to the order of the day, was successfully resisted by M. Alexis de Noailles, and M. Hyde de Neuville, who protested against the government being content with merely doing what might be called strict legal justice, in a case in which it was admitted that the petitioner had saved the lives of so many French colonists, at the expense of his own fortune; and a motion for sending back the peti-



tion to the minister for foreign affairs, was carried by a large majority. The Chamber here appeared in a more advantageous point of view than the ministers.

A French member of parliament reads his speeches, instead of speaking them; he does not come to the House with ideas in his head, prepared to meet the ever-varying and unexpected necessities of debate, but he comes with a pamphlet in his pocket, to read an essay on a given subject, prepared by himself or somebody else, in the solitude of the closet. An attempt was made to get rid of this anomaly of reading speeches by a motion of M. Duhamel, "That no written discourse shall be allowed to be read to the Chamber, on the chapters, titles, and articles of laws, or propositions submitted for its consideration, but that only notes may be consulted." The proposal was sent to a committee, and the report of the committee was fatal to an innovation which was to give France some chance of possessing parliamentary oratory. The change, said the reporter, would do much harm, and no good. Extemporaneous speaking is not always, or necessarily, the best speaking; and, even if it were, the proposed prohibition of written discourses would not secure it. "May there not be some among the orators most admired as extemporaneous speakers, whose inspirations have been only pretended? Have not their discourses been too elegant for unstudied speeches? If they had wished to deceive us into this belief, would they not have introduced some occasional negligences?" This might be very true; but the committee forgot, that a prohibition against reading what a man has thought, is not a prohi-

bition against thinking at all, and collecting the materials for thinking. "It is wished," said the reporter, "to avoid long speeches; but it is much more easy to be brief in writing, than in speaking extemporaneously. The writer rejects with care all repetitions of ideas or phrases; he compresses at will his reasonings and his style; he chooses at leisure his thoughts and his words. The extemporaneous speaker, on the contrary, cannot choose either the one or the other. What proves that the interdiction of written speeches would not abridge our deliberations is, the length of the sittings of the English House of Commons. A single orator, Mr. Hume, in the sitting of the 17th March, spoke twenty-eight times, after having spoken forty-one times on the 6th." It was probably ignorance which gave the name of speeches to the remarks which pass in the British House of Commons, when the House is in a committee on estimates—although, even in that sense, the allegation regarding Mr. Hume was inaccurate; but so far was the view taken by the committee from being a correct one, that it is of the very nature of written discussion to spin out "the thread of its verbosity finer than the staple of its argument." To allow written discourses, instead of diminishing the number of members who burn to pour forth their ideas on the assembly, confessedly goes to extend their line to the utmost limit of the patience of that assembly; for it adds to those who can speak what they think, all those who can read what has been written. The individual essays, too, naturally become more prolix than speeches. The very "leisure" with which



the writer composes, leaves him to say every thing that can be said, and creep deliberately into every nook and cranny of his subject; the debater seizes only what impresses itself upon him as important. Accordingly, more real business is done in the House of Commons in a month, than in the Chamber of Deputies in a session. It may be true that the French system enables a man to cull his phrases with greater care, and turn his periods with greater elegance; to give every member of a sentence its proper length, stick every interjection in its proper place, and introduce every metaphor with a due flourish of rhetorical preparation. But it is inconsistent with energy and boldness; it leads irresistibly to a vitiated taste; it ends in that puerile, declamatory, style of oratory (if so it must be called), which has fixed its abode in the French tribune. The French may possibly attain the smooth enamel, and the nice finishing, of the miniature, but they can never reach the power and magnificence of the fresco. If Cicero had been a French deputy, he would have unfolded his manuscript in the tribune, and, holding it to his eyes, would have read out, "*Quousque tandem abutere, Catilina, patientia nostra,*" with tones and gestures of most extemporaneous preparation. Moreover, it is ridiculous to call that mode of discussion a debate, in which every body reads his own sentiments, but nobody discusses them; in which every one gives his opinion, but no one disputes it; in which all open, but nobody answers or replies. No one advantage of debate is gained; there is no mutual sifting of opinions and reasons. A member mounts the tribune to reply to another;

but as he could not anticipate what that other was to say, his reply never touches on what has gone before. If a ready command of the stores collected by reading and thinking, rapidity of invention, quickness of thought, accuracy of memory, and facility of expression, be valuable mental qualities, the French mode of parliamentary discussion is equally unfavourable to them all.

By a law passed in 1822, for the regulation of the press, it was enacted that "if, in the interval of the sessions, serious circumstances (*circonstances graves*) should render the measures of guarantee and repression for a moment ineffectual, the censorship may be immediately established by a Royal Ordinance." Such a provision is utterly destructive of the liberty of the press, because it leaves the determination of what circumstances require the introduction of a censorship dependent on the executive alone. A very mischievous measure may be carried through in a very short interval; and it may be extremely desirable for the executive to prevent the public press, during that interval, from sounding the alarm. Provisions founded on an anticipated necessity for dispensing with the regular and established law cannot wisely be made standing parts of a form of government: they are prospective bills of indemnity. M. Royer Collard, therefore, had reason on his side, when he wished to modify this law, or at least to fix the meaning of the "*circonstances graves*," which were to justify the crown in imposing temporary fetters on the press. He wished it to be restricted to "great events, great troubles, extraordinary cases, which could not be foreseen,"—in short, to something different



from the mere abuse of the liberty of the press itself. This would certainly seem to be the more rational and fair interpretation. A seditious mob in every large town, with seditious publications issuing from an hundred presses to excite and justify their excesses, such as have been witnessed in England more than once, would form a crisis requiring and excusing much stronger measures than an unusual quantity of abuse, or an universal expression of dislike, against the Jesuits, or the ministry: yet, to the king's confessor, or to a tottering minister, the latter might appear equally alarming with the former, and the law permits the application of the power of imposing silence in the one as in the other. The law, however, was allowed to remain as it was, the minister of the interior assuring the Chamber that no cabinet had ever borne the attacks of the press with more patience and forbearance than that of which he was a member, and that, when they used the power which they possessed, it would not be to defend themselves, but to prevent, instead of punishing, crimes which might endanger public order. The editor of the *Journal du Commerce* was called to the bar, for a libel on the Chamber; and, after he had been heard by his counsel, was punished with a month's imprisonment, and a fine of an hundred francs—the minimum of penalty allowed by the law. Another member complained to the Chamber, of the editor of the *Drapeau Blanc*, on account of a mis-report, not of his own speech, but of that of the minister of war, who was represented to have said something insulting to him. An angry discussion followed, the liberal party insisting, with no

great indulgence for the errors of the “chartered libertine,” that the reporter to the journal should, in future, be excluded from the sittings of the Chamber: but it came to no practical result.

In the internal state of France there was scarcely any thing to occupy public attention, except occurrences arising from the conflicting efforts of different sects of religionists. Some ecclesiastical orders, particularly the Jesuits, had been gradually courting favour, and increasing in influence, and endeavouring to recover a portion of that authority which was once theirs. Ecclesiastics of a different description were devoting themselves to the task of awakening among the people a spirit of fanatical piety; and men of considerable authority in the church availed themselves of their station, to try to enforce a more rigorous discipline, and to restore to superstitious rites the credit which they had long since lost. The party calling itself liberal, again, was opposed to these religionists: they dreaded the approaches of the Jesuits to power, because experience had taught too clearly how exclusive and despotic that power would be; and they disliked the rigorous austerity and debarring superstition of the others, because its direct tendency, and its great object, was, to enthrone ecclesiastical authority by absorbing the mind in theological dogmas and devotional rites. The religionists were the enemies of all popular rights; and the imprudence of some individuals among them permitted doctrines to be seen which appeared to be equally hostile to the Crown. At the end of the preceding year, the editors of two liberal journals had been tried for



political libels, and acquitted. The acquittal was very displeasing to the Jesuits and their coadjutors; and the Abbé de la Mennais, in a pamphlet which he published upon the occasion indulged himself in opinions which went to subvert the fundamental rights of all governments except that of the Pope, and to raise the altar above the throne. A Declaration of the French clergy made and registered in the parliament of Paris, in 1682 forms the basis of the law of France regarding the power of the pope within the kingdom, and constitutes the record of the liberties of the Gallican church. The first proposition of this Declaration states, that St. Peter, his successors, and the church itself, have received no authority from God, except over things spiritual, and not over things temporal and civil; that kings are not subject, in things which concern temporal matters, to any ecclesiastical power; that they cannot be deposed directly or indirectly by the authority of the head of the church; and that their subjects cannot by him be exempted from the submission and obedience which they owe them, or dispensed from their oath of allegiance: and by a subsequent royal edict all the king's subjects are prohibited from maintaining, writing, or printing, any thing contrary to the principles of this Declaration, or tending to renew disputes, or give rise to a difference of opinion on the subject. Mennais was brought to trial for having, in the plenitude of his zeal on behalf of his order, attacked the doctrines of the Declaration, and violated the edict, by asserting the subjection of the kingly power to the supreme authority of the church. A second count accused him of having denied the rights of

the king, arising from his birth, and assailed the order of succession to the throne. Of this latter charge he was acquitted; the court holding that the passages of his publications on which it was founded, were rather a discussion of the first proposition of the Declaration, than a direct and positive attack against the dignity and birth-right of the monarch, or the order of succession, and that the known religious and monarchical opinions of the Abbé were against any presumption of his having intended to commit such an offence. On the first count, however, he was found guilty of having written several chapters directly and formally impugning the declaration of 1682, and violating the edict which had made that Declaration part of the constitutional law of the land. He was condemned to pay a fine of thirty francs, and his work "*On Religion, considered in its Relations with Political and Civil Order*," was ordered to be seized and destroyed wherever it might be found. The court justified the smallness of the fine on the ground that the blameable passages formed only a small part of the work—that the remainder consisted of theological discussion with which they could not interfere—that the book was one which would be read and appreciated only by the well-informed—and that the abbé himself was a person of most respectable character. It is worthy of remark, as a historical coincidence, that while, in the discussions of the British parliament on the Catholic question, the friends of Emancipation maintained that the older doctrines of the Romish church regarding her supremacy over kings had been fully and finally renounced, there was in Paris a



member of that church, and an adherent of its most learned, most politic, and once most powerful, order, convicted and punished for openly maintaining from the press the very doctrines, which it was said to have abandoned.

Another measure directed against the ecclesiastical orders was the publication by a count Montlosier of a work entitled "A Denunciation" of the Jesuits, and their congregations, and addressed to the *Cour Royale* in which he declaimed against these religionists as enemies of the state and abusers of religion, and formally called upon the Court to perform its duty, by putting in force the existing laws against them. This example of a popular right of action, by which an uninterested individual demanded the interference of a court provided with its own officers to put its powers into action, was not favourable either to public tranquillity or to the regular administration of the law: but the partiality of party spirit exalted Montlosier into an idol; and a written opinion was published, signed by nearly fifty of the most respectable counsel of the French bar, bearing that the "Denunciation," as demanding the execution of the laws against the Jesuits, and the congregations, was an immense service rendered to the king and to the country. The Court admitted the indictment, so to speak: but the Attorney-general appeared, and insisted that no grounds were laid even for deliberation, and that the Court was incompetent to hear such a case. All the members of the Court in Paris, to the number of fifty-four, attended the discussion, and the Court came to the following decision. They held that by the decree of the parliament of Paris in

1760, the edict of Louis XV. in 1764, the edict of Louis XVI. in 1777, the law of May 1792, and the republican decree of the 3rd Messidor in the year 12, the legislature of France had formally opposed itself to the re-establishment of the society called "The Society of Jesus," under whatever denomination it might present itself; that these edicts and decrees were founded on the acknowledged incompatibility between the principles professed by that Society and the independence of civil governments—principles still more incompatible with the constitutional charter which was itself a public right. But they likewise held that to suppress or dissolve congregations or associations formed in contempt of these laws and decrees, belonged to the department of the high police alone; that any facts of a different kind mentioned in the denunciation, did not constitute any crime, misdemeanour, or contravention, which could be judged of in that Court; and therefore, upon the whole matter, the Court declared itself to be incompetent. In all the judicial contests between the Jesuits and their opponents, their ancient spirit of Jansenism was distinctly manifested in the bar.

France had not as yet formally recognized any of the South American republics; but, in the course of the present year, she appointed commercial agents to reside in several of them, possessing nearly the same character which belonged to those sent out by this country in 1819. In the month of January, she concluded a treaty with the emperor of Brazil. By this treaty, France expressly recognized the independence of the Brazilian empire, and the imperial dignity in the person of don Pedro



and his legitimate successors. It was provided that the subjects of each power should have full religious toleration when residing in the territories of the other; should enjoy all the rights, privileges, and exemptions, which had been, or thereafter might be granted to the most favoured nation; and were not to be subject to military service or contributions, or forced loans and imposts. It was declared that vessels of the one country entering the harbours of the other, should pay no higher dues for tonnage, &c. than vessels belonging to the most favoured nation, but that Portugal should not be taken as the term of comparison, if it should come to enjoy commercial privileges in Brazil, and that, until the deficiency of seamen could be supplied, all vessels built or owned by Brazilian subjects, and carrying a Brazilian captain and mate, should be held to be Brazilian ships, although three fourths of the crew should not be subjects of the empire; that, under the same modifications, articles of French growth or manufacture should be admitted into Brazil, either in French or in Brazilian vessels on payment of no higher duties than those imposed on the most favoured nation; and, on the other hand, that the produce of Brazil, imported into France for consumption, whether in Brazilian or in French vessels, should pay no higher duties than those imposed on them by the French tariff when imported in French bottoms. In accordance with this article, France abolished, in favour of Brazil, the additional duty of 10 per cent on merchandize imported in foreign ships, and likewise the distinction between stuffs of long and short wool. Each state bound itself to deliver up to

the other deserters from its army or navy, or even from its merchant vessels, and to expel from its dominions, so soon as an application to that purpose should be made, all persons accused of treason, felony, or the forging or coining of money whether metallic or paper. The stipulations regarding the duties on shipping and goods, and the character of Brazilian vessels were to continue in force for six years from the date of the ratification; the others were to be perpetual.

The treaty was ratified at Paris on the 19th of March.

To the European powers, by far the most important part of the foreign policy of France, was her conduct in regard to the affairs of Portugal. When the armed interference of Spain against the regency and constitution of Portugal, compelled Britain to send her troops to the peninsula for the protection of her ally, the peace of Europe depended on the cabinet of Versailles. An exaggerated dislike, on its part, of the establishment of popular institutions, excessive complaisance to the wishes of Ferdinand, or jealousy of the influence, and, still more, of this armed interposition of England, could hardly have failed to light up a war. It was, indeed, impossible that France, governed, herself, by a representative body, could, with any regard to decency, become the enemy of the Portuguese constitution, merely because it was framed after the model of her own. As the charter had emanated voluntarily from the legitimate and sovereign authority, it was equally impossible for her, with any regard to consistency, to wish well to the Portuguese insurgents, who were in open rebellion against their lawful sovereign. And still less could



she, with any regard to good faith, support the intrigues of those who laboured, by rebellion, to elevate a treasonable faction that was determined to annul the separation of the colonies from the mother country; since, by the treaty, which has just been mentioned, she had solemnly recognized the independence of Brazil, and the legitimacy of its imperial dignity. These were considerations to induce the French cabinet to allow the new order of things in Portugal to try its own strength, and take its natural course, and to lend no ear to the bigotted apprehensions, or any countenance to the intrigues of Spain. Other considerations even made it still more decidedly her interest, unless she wished for a war without an object, to be prosecuted for its own sake by the sacrifice of all principle, to use her influence in preventing, on the part of Spain, any aggression against the Portuguese government. France knew well that, in the event of such an aggression being made, Britain was bound by treaty to support Portugal in repelling it; and the decision and rapidity with which, when it was made, British troops were conveyed to the Tagus, proved to all the world that Britain would not be tardy or hesitating in fulfilling her obligations. But a war between Britain and Portugal on the one hand, and Spain on the other, while Spain was occupied by a French army, would almost necessarily involve France as a party, however contrary it might be to her policy and her interests. That French troops should fill the barracks, and occupy the fortresses of Spain, and perform the duties of the interior, to let loose a Spanish army against Britain in the field, would

have formed an anomalous species of armed neutrality which Britain could not have recognized: for she evidently was equally entitled to bombard Cadiz or Barcelona, and besiege Badajoz or Ciudad Rodrigo, whether they were garrisoned by French or by Spanish troops. If, again, France should withdraw her troops altogether, it was perfectly certain, from the internal state of Spain, from the crowds of exiles on account of their political faith, ready to return to her shores with fresh hopes, and the additional excitation communicated by the establishment in Portugal of a free constitution given by its native monarch, and protected from foreign attack by the power of England, that the departure of the French army would be the signal for an immediate renewal of the revolutionary excesses, and tumultuary government, the suppression of which had been the very object for which she had marched her squadrons across the Pyrenees. France had entered Spain to maintain, as it were, the public peace; and she would now be quitting it, just because that peace which she had gone thither to maintain, was about to be broken. Unless, therefore, she gave up all that she purchased, or thought to have purchased in 1823 with so many sacrifices, France could not avoid war, if the conduct of Spain towards Portugal should provoke hostilities with England; but to her such a war could have no object; it could add nothing to her real power, and its inconsistency would have lowered immensely her influence on opinion. It was thus equally her interest and her duty to preserve the peace of Europe, by preventing, if possible, the mad extravagancies of Ferdi-



nand, and expressing decidedly her disapprobation of his hostile and faithless policy : for Ferdinand, blind and bigotted as he was, had no resource but abject submission, when left to cope with the giant power of England, unaided by the active co-operation, and even unconsoled by the friendly sympathy, of the Bourbons of France.

Fortunately the ministers of France were moderate and just ; and these plain considerations of good policy decided their conduct. They went hand in hand with Britain in endeavouring to bring Ferdinand and his advisers to their senses. But there was a clamorous, and, in some respects, an influential party in France, whose wishes pointed in a very opposite direction, and who were eager for a war which must be unprofitable, on grounds which, to sound reason, were untenable. The ultra-royalists, consisting partly of many members of the old noblesse, and supported by almost all the multifarious influence of the clergy, considered the representative government of Portugal as much an object of terror and abhorrence as did even Ferdinand himself. In every thing that approached to the nature of a popular institution, they saw the subversion of the altar, the proscription of nobility, and the downfall of the divine rights of monarchy ; the charter of Don Pedro was not in their eyes, much less pregnant with misery and crime than the most tumultuary ordinance that ever issued from the National Convention ; and the Princess Regent of Portugal, exhorting her chambers to proceed faithfully and prudently in settling the government which her brother had bestowed, presented to them in a milder form, Danton

or Robespierre cheering on the blood-hounds of the Jacobin Club. With such principles, and against such prejudices, it was difficult to reason ; such apprehensions prevented all solidity and consistency of conduct ; and, accordingly, these men, while they were the chosen apostles of the absolute power of kings, justified, and supported, and applauded, the Portuguese rebels, who were marching in arms to dethrone their lawful sovereign, and acknowledged the title of Don Miguel to usurp the crown of his brother and his niece. From the press they unceasingly demanded that the ministry should send an army into Portugal, a friendly country, and up-root every germ of the constitution, the willing gift of its hereditary monarch. It would be easier, they said, now to move the army from Spain into Portugal, than it had been three years before to march it from France into Spain. At all events, they insisted that every thing should be done to aid the wiles and efforts of Ferdinand against the constitution ; that he should be backed with all the countenance which France could give ; and that every encouragement should be secretly given to him, and to the Portuguese rebels, whom they designated royalists, because they were fighting against their king. The private intrigues of the party to confirm Spain in her policy, were more successful than their public declamations to force France into a war. The baron de Moustier, the French minister at Madrid, lent himself to their views. As the French ministry had nothing to gain by falsehood, and as their whole conduct spoke nothing but sincerity, it is impossible that they could have given this man private instructions at variance with the



sentiments which they uniformly expressed to the British cabinet ; but secret instructions he undoubtedly had from the leaders of the ultra-royalists : and, trusting to the influence of that party to justify whatever he might do in furtherance of their schemes, he ventured to trifle with the policy, and compromise the character of his government. He strengthened the Spanish cabinet in its resolution to refuse acknowledging the Portuguese regency, and assisted all its expedients to evade the demands and the remonstrances of the Portuguese envoy. Although the minister of a power which had received in Paris an accredited diplomatic agent of Portugal, and had itself accredited to Lisbon an ambassador of high rank, he pretended, when requested to state whether his government had recognized that of Portugal, that it was a matter which did not concern him, that he knew nothing, and had received no instructions about it. The pretext, under which Spain endeavoured to veil her obstinate hostility was, the necessity of knowing the sentiments of her allies ; and De Moustier took care that she should never want an excuse for pretending to be still officially ignorant of the determination of France. When the French ministry learned this conduct of their servant, they expressed their opinion both of him and of Ferdinand, by instantly recalling him. Less they could not have done, unless they were willing to make themselves proverbial examples to Europe of falsehood and insincerity ; and a severer censure would have tended better to remove from them every taint of suspicion, that it might only have

been the determined attitude of Britain, equally prepared for war, as solicitous for peace, that had confirmed them in a just and honourable line of policy. The secret springs, however, by which the ultra-royalists worked behind the curtain, were powerful ; but, although De Moustier, on his arrival at Paris, in December, was admitted to an audience of the king, the cabinet immediately took another step which told much more plainly how sincere was their resolution to lend no aid or countenance to the policy of Spain, than the recalling of an ambassador. When the French army took possession of Spain, two regiments of Swiss guards, troops of ancient proverbial fidelity, had been specially assigned for the protection of the royal person ; and when part of the army was withdrawn in 1824, these regiments had been allowed to remain at the particular request of Ferdinand. France now recalled them ; and in recalling these troops, in preference to any others, she seemed to intend to impress upon Ferdinand the opinion which she entertained of his conduct personally. Every expedient was had recourse to by the Spanish government to have the order revoked ; Ferdinand himself wrote a letter to his most christian majesty. But the French ministry would not sacrifice their own character, already somewhat compromised by the conduct of De Moustier, to save him from the consequences of his own folly and stupidity persisted in with an obstinacy which only bigotry could have produced. The Swiss regiments left Madrid in different divisions, and returned to France in the month of January. England



and France were thus united to preserve the peace of Europe in so far as it was menaced by Spain. Such an union deprived the cabinet and Camarilla of Madrid of their last hope of being able to extend over a neighbouring country the

dark and dreary reign of despotism and superstition, amid whose palpable obscurity they prowled for their own prey, or, when sated with victims, slumbered on in brutish indolence.



## CHAP. X.

THE GERMANIC DIET.—HOLLAND—*Disputes concerning the Navigation of the Rhine—Arrangements regarding the Catholics—Epidemic Disease in North Holland—Finances—Militia Law—Expedition to Java*—BAVARIA—AUSTRIA—*Proceedings of the Hungarian Diet—Decree against the Slave Trade*—PRUSSIA—RUSSIA—*A Commission appointed to investigate the Insurrection of 1825—Reforms in the Administration—Discontents among the Peasants—Death of the Empress—Report of the Commission of Inquiry—Sentence and Punishment of the Conspirators—Coronation of the Emperor—War with Persia—Military Operations in Georgia—The Persians defeated.*

THE Diet of the Germanic Confederation assembled at Frankfurt in January; but, although several questions of very general importance occupied its attention, as they had done for years, no one of them was brought to a conclusion; so tedious are the forms of proceeding in that body, requiring constant correspondence between the members and their constituents; and so multiplied and contradictory are the interests which it vainly attempts to combine in a harmonious whole. The organization of the military force of the Diet was still to be finally fixed, the smaller states remonstrating against the numerical amount of their contingents, and resisting with great good sense, the oppression of imposing upon their insignificant territories the burthen of maintaining cavalry and artillery, which they said, ought to be maintained at the expense of the great powers, to whom alone these muniments of war could ever be of any real service. The questions, too, of the tolls upon the navigation of the Rhine, and the establishment of a free

commercial intercourse among the states, were still to be determined; the former involving the interests of every corner of Germany, and the latter touching the destruction of a jealous prohibitory system, by which even the most petty states attempted to defend their manufactures against their neighbours. On none of these matters did the Diet come to any decision; and the only measure which they carried through was the final occupation of the Belgic fortress of Luxembourg by commissioners and a garrison in the name of the Confederation. The king of the Netherlands resisted this change as far as he decently could resist a fundamental rule of the Confederation, of which, as sovereign of the Duchy of Luxemburgh, he formed a part—for no monarch can willingly see his fortresses in the hands of domineering powers, of which he has always occasion to be jealous as dangerous rivals, though united with them in name as confederates.

The differences which existed regarding the navigation of the



Rhine, formed a dispute between Germany and the king of Holland, rather than among the members of the diet. From the moment that the Rhine entered Holland, it became subject to the government of that country alone, who was sovereign of both its banks. Whatever duties Holland might think proper to impose on the traffic of the river during the remainder of its course to the shores of the North Sea, were strictly matters of internal arrangement, regulating the intercourse of foreigners with her own exclusive dominions, and were imposts with which the diet had no authority to interfere. She was thus enabled by high duties, to render the Rhine useless as a means of transport to the sea; by discriminating duties she could secure the whole trade from Nimeguen to the sea, to her own subjects, and a preference to her own manufactures as articles of export. The states higher up the river could gain little by establishing equitable regulations regarding the duties to be levied by the powers who possessed its opposite banks, so long as they were absolutely excluded from proceeding on it to the ocean by an authority over which they had no control. In the treaty of Paris, in 1814, by which the kingdom of the Netherlands, as it at present exists, was created, and subsequently at the Congress of Vienna, provisions had been agreed on which certainly were intended, and, it was thought, would be sufficient, to limit the power of Holland, and open the navigation of the Rhine to all Germany, to and from the sea. But an ambiguous expression gave Holland a pretext for maintaining her exclusive rights. She said, that "to the sea" was a very different

expression from "into the sea;" and, moreover, if the upper states were to insist so strictly upon words, then they must be contented with the course of the proper Rhine itself. The mass of water which forms the Rhine, dividing itself a little way above Nimeguen, is carried to the sea through three principal channels, the Waal, the Leck, and the Yssel; the first descending by Gorcum, where it changes its name for that of the Meuse; the second, farther to the north, approaching the sea at Rotterdam; and the third, taking a northerly course by Zutphen, and Deventer, to disgorge itself into the Zuyderzee. None of these channels, however, is called or reckoned the Rhine; that name is preserved to a small stream which leaves the Leck at Wyck, takes its course by the learned retreats of Utrecht and Leyden, gradually dispersing and losing its waters, till the magnificent river dwindles down into a muddy ditch, and, unable by its expiring strength to force its way into the ocean, disappears among the downs in the neighbourhood of Kulwyck. The Rhine itself, strictly speaking, being thus useless for the purposes of sea-navigation, it had been agreed between Holland and her neighbours to consider the Leck as the continuation of the Rhine; and the government of the Netherlands afterwards consented that the Waal, as being deeper and better adapted to navigation, should be substituted for the Leck. Now the Waal, said the government of Holland, terminates at Gorcum, to which the tide ascends; there consequently ends the Rhine; all that remains of that branch from Gorcum to Gravelingen, Helvoetsluys, and the mouth of the



Meuse, is an arm of the sea, inclosed within our own territories, and therefore to be subjected to any imposts and regulations which we may think fit to establish.

In this interpretation, Holland was supported by France and Baden, but strenuously resisted by all the other powers of Germany, who inveighed against it as a quibbling attempt to evade the plain meaning of the treaty of Paris. Prussia, whose Rhenish provinces form the wealthiest and most manufacturing portion of her monarchy, addressed a memorial to the great powers who had been parties to the treaty of Paris, and the congress of Vienna, calling upon them to state what had been the real meaning of that treaty in regard to the navigation of the Rhine; and, in the mean time, on the ground of the delays of Holland, she retained in her hands a sum of fourteen millions of florins, raised by duties levied on the river where it passes through her territories, which ought, of right, to have been shared with Nassau, Baden, Darmstadt, and other small states. The allied powers put upon the treaty the same interpretation as the German states; but the government of the Netherlands having returned an unfavourable answer to their joint remonstrance, the Austrian envoy at Brussels presented a note to that court, in February of the present year, in which he not only enforced what Austria held to be the true meaning of the diplomatic provisions of 1814 and 1815, but spoke in a style which much resembled reproach, of the ingratitude of the king of the Netherlands towards his political creators. "By the treaty of Paris," he argued, "the allied powers, in conjunction with

France, agreed that the sovereignty of the House of Orange should receive an accession of territory, and that the navigation of the Rhine, from the point where it is navigable to the sea (*jusqu'à la mer*), and *vice versa*, should be free. This last point was further confirmed in the separate article, which provides 'that the freedom of navigation in the Scheldt shall be established on the same principles as those on which the navigation of the Rhine is regulated by Article 5 of the present treaty.' The allied powers farther reserved to themselves to determine, at the next Congress, the countries which should be united with Holland, and declared 'that then the principles should be discussed, upon which the tolls to be levied by the States on the banks might be regulated in the most uniform manner and most advantageously to the commerce of all nations.' It appeared, from the simultaneous issuing of these two resolutions, that, among other conditions which the allies annexed to the incorporation of Belgium, this increase of territory was combined on their side, even before the establishment of the kingdom of the Netherlands, with the above obligation to restore the freedom of the navigation. There could certainly be no more express and positive obligation than that which is united with the foundation of a state, and which, in the present case, had been fully sanctioned by the accession of the king of the Netherlands to the treaty of Paris, and the act of Congress at Vienna. It was inconceivable how the government of the Netherlands could flatter itself with the hope of making a right obscure and doubtful, by prolix observations on the main



resolution, and to do away with the principle of the free navigation of the Rhine, which was proclaimed in the face of the world in the first document of the political restoration of Europe, and on the same day when Holland was given up to the House of Orange."

In its answer, the cabinet of Brussels repeated the geographical argument, that the Rhine terminates long before reaching the sea: and to the reasoning of the Austrian minister drawn from the conditions of the incorporation of the Netherlands with Holland, it was replied, that the republic of Holland had never ceased to exist *de jure*, and had resumed its existence under a monarch *de facto*, before the treaties which incorporated with it the Catholic Netherlands, and before the acts of the congress of Vienna. That his majesty, owed the sovereignty of his family, to the blood shed by his ancestors for the country, to the glory which it had acquired, and the prosperity it had enjoyed, under their auspices, to the intimate connexion formed in the course of centuries between them and the nation, to the ancient rights of his house, and to the confidence, as well as to the spontaneous choice, of a free people. It by no means dated from the act of Union, accepted the 21st July, 1814, which concerned only Belgium; but from the arrival of the king in Holland, the 30th November, 1813; from the 2nd December, 1813, when his majesty was proclaimed sovereign at Amsterdam; and from the 29th March, 1814, when the fundamental law was sanctioned and promulgated, an event which gave occasion to congratulatory letters, addressed by the allies to the sovereign prince. His majesty would

never have accepted the sovereignty of the United Provinces, if the origin of it was to be ascribed to a foreign co-operation, however powerful it might be, and however magnanimous the monarchs composing it; and he would have utterly rejected any increase of territory, if it had been necessary to purchase it at the expense of the dignity of the country in which the remains of his ancestors repose.

There was something wanting to this argument. Although it were granted that the king of the Netherlands had regained the sovereignty of the United Provinces in virtue of the ancient and well-won rights of the House of Orange, it by no means followed that he held the new sovereignty of the Catholic Netherlands by the same tenure. These formed a possession, to which Holland and her monarch had no claim; which the allied powers, if possessing any right to dispose of the Netherlands at all, could give, or refuse, at pleasure; and which, they alleged, they had ceded to his majesty only on condition of his performing certain stipulations. They could affix to their gift, and his majesty could reject, any conditions they might think proper; although the outlets of the Rhine were more peculiarly streams of Holland, and therefore subject only to his ancient sovereignty, it was as competent to the allies to stipulate for a relaxation of the rights of that ancient sovereignty as a condition of their boon, as for the reservation of any franchise to the citizens of the newly-acquired provinces themselves. He might reject the proffered gift when coupled with a sacrifice of some of the privileges of his ancient dominions; but if



he did accept of it (and this was what the allied courts alleged) on the understanding that certain exclusive rights of the latter were to be limited, the argument drawn from the history of his family, was both bad faith, and bad logic.

All that argument and remonstrance could as yet gain from the Netherlands was, that the Leck should be considered as the Rhine; that the vessels of the German states should be allowed to navigate it unmolested, under no higher duties than might be imposed on other parts of the river; and that the prohibitions against the transit of goods in other vessels than those of Holland, should be abolished. This still left in uncertainty the great question — through what channel is the navigation of the Rhine *as far as the sea* to be carried on? — for the Leck terminates where it joins the Meuse, a river purely Belgic and Dutch, before reaching Rotterdam. The abolition of the prohibition against transit was, it was further said, a point gained, in so far as it removed the exclusive provisions in favour of the Dutch trade, and permitted the free trade of German shippers with each other on the Rhine of Holland; but that still, so soon as they approached the sea, there they were stopped until they should pay the export duties fixed by Holland, which, in favour of its own trade, might be so high as to amount to a prohibition. This was one of the many instances in which disputes and errors have arisen from the arbitrariness with which the original name of a ramifying river is bestowed on one of its branches. One would think that the larger arm ought always, like a first born, to bear the family title: more nice investigations

may be allowed to the inquisitive geographer; but in the serious business of real life, it does appear strange, that the name of the mighty Rhine should be continued to a petty brook, while two thirds of its mass of waters are gliding on through the windings of the Waal, and receiving in their course the Meuse as a tributary.

During the year most of the differences, which had been so long existing between the Netherlands and the Papal see, regarding the powers of the Catholic bishops, and the rights and maintenance of the Catholic religion, were finally adjusted; and the former power sent an envoy to Rome to open a new negotiation in regard to the remainder. By a decree of 1822, no private chapel, or oratory, could be erected or consecrated without the permission of the king, granted upon an application by the bishop of the diocese. This regulation was now relaxed; and the power was given to the bishops of authorizing the erection of chapels and oratories exclusively for the use of the individuals, corporations, or congregations, who might build them, on condition that such authority should never be granted except to persons who from age or infirmity were unable to attend church, that the chapels themselves should be erected with all possible economy, and that only aged and infirm priests, having no other duty to perform, should be appointed to officiate in them. The Catholics were likewise relieved of part of the burthen of supporting their own hierarchy, a sum of five hundred thousand florins being voted by the States-general towards the expenses of the Catholic Worship in the northern provinces. But a proper jealousy was still manifested of the encroach-



ing disposition of that dangerous church. A few years before, a religious association, denominated the "Brethren of the Christian Schools," professing their object to be the education of youth, and bearing a jesuitical character, had been allowed to settle themselves in the kingdom, and each of its members had been required to sign, and had signed, a declaration that it was independent of any foreign superior. It was now discovered that these declarations had been intended to deceive; and that, notwithstanding them, the relations formerly existing between the Superior-general of the body out of the kingdom, and the members of the association within the kingdom had never been discontinued; and therefore, in the month of February, the association was suppressed by a royal decree. The archbishop of Mechlin, likewise, was severely censured in the name of the king, by the Director-general of the affairs of the Roman Catholic church, for having received through an unusual channel, and not communicating to government, a papal rescript, tending to excite disobedience and opposition to his majesty's measures regarding the Catholic church. The letter was farther denounced as being an encroachment on the rights of the bishops of the kingdom, who alone are authorized to govern their churches, the Pope having no power to interfere without violating the liberties of the church of the Netherlands, as had always been understood, and especially since 1767, when a certain declaration from Rome, relative to a marriage of the marquess of Chasteler with a widow of Amsterdam, was declared null and void. The archbishop was told that his ma-

jesty intended to abide by the existing system, and was therefore most seriously warned not to make any use of the said letter, or of any others relative to the same subject, lest he should expose himself to serious consequences.

During the autumn of the year, the province of Groningen was afflicted with an epidemical disease, which spread itself likewise into Friezland, operating most fatally in the districts far removed from the sea. It appeared in the end of July: in the first week of August, the deaths of Groningen amounted to one hundred and six; and by the middle of September, their number had increased to one hundred and forty two. The sick amounted to upwards of five thousand, scarcely a single house escaping the malady; and, although the country suffered less than the cities, yet, in one village, out of a population of a thousand souls, not an hundred escaped the disease. It raged chiefly among the labouring poor: dread of contagion deprived them almost entirely of attendance and assistance, and even of medical advice. The magistrates of Groningen applied to the government for medical officers, and invited, by a public address, the services of the profession generally; but all the remuneration they could offer was, a hundred guilders per month. The epidemic was supposed to have originated from the violent and long-continued heats, and it gradually disappeared as the winter returned.

In the Dutch budget for the year there was an increase of more than 2,000,000 florins in the expenses of its first division, partly occasioned by the half million voted to the Catholics, and a million and a half which had been ex-



pendent in works on the rivers and sea coast. Holland could not spend money more usefully either for her industry or her safety ; and a special commission had been appointed to examine into the means for improving the course of the rivers, and preventing those inundations, which, in a single night, could work wide-spread misery and devastation. Some of its suggestions had already been adopted, and the channels of internal communication were constantly increasing. On the expenditure forming the other branches of the budget there was a considerable diminution ; and, from the preceding year, there was a surplus revenue, which enabled the government to reduce some of the taxes, and make an addition of 10 per cent to the sinking-fund. The duties received on exports and imports amounted to 6,200,000 florins.

A law was framed for the formation of an internal military force, a militia, called Communal Guards, to be employed in maintaining the public tranquillity, and in time of war, in repelling an enemy. If a commune, however, did not contain a population of two thousand five hundred souls, its communal guards were not to be called out in time of peace, and, during war, they were to form, with those of other communes, the levy *en masse* of the country. The law extended to all male inhabitants having attained their twenty-fifth, and not completed their thirty-fourth, year, on each successive first of January. The force to be embodied was to be two men for every two hundred persons, and the period of service five years. To have been condemned to a punishment which the law held infamous, was made a dis-

qualification from serving in this corps.

The darkest spot in the prosperity of the Netherlands was the intestine war which still raged in their Indian colonies, and threatened the downfall of their supremacy. The Javanese were in almost a general state of insurrection, particularly in the southern and middle districts of the island ; the insurgents shewed themselves incessantly upon different points, and always in great force, thus dividing and harassing the Dutch troops, whose numbers were too small to admit of strong detachments being sent against them. The numbers of the rebels increased with their success. One body of them had anticipated general Van Gaen in a projected attack to be made upon them from Samarang, drove back his advanced divisions from their position at Damack, and took possession of that town. Djocjocarta and its environs, though not regularly besieged by them, was kept in perpetual alarm by their guerilla sort of predatory warfare ; the natives being able to keep the field even during the rainy season, while active operations would have destroyed the European troops by sickness and fatigue. On the 18th of February, they attacked an unfinished fort, and were repulsed ; but the Netherlands, having pursued them too far, were, in their turn, attacked by an ambuscade, and forced to retreat with the loss of part of their artillery. In the month of June, fortune seemed to incline in favour of the Dutch ; they successfully stormed the principal fortress of the insurgents, and dispersed the army which covered it. But this success was more than counterbalanced by a defeat



which they suffered in a battle fought a few weeks afterwards between Solo and Samarang. The insurgents were led by Djupo Magoro, a man of some enterprise and talent, who had raised himself to the command amongst them. The Dutch were completely defeated, losing a great number of men, among whom were several officers, with great part of their artillery and ammunition. The insurgents immediately spread themselves over the country; all communication between Samarang and Batavia was cut off by them. The government was compelled to summon to its assistance the garrisons of Sumatra, Banca, Macassar, and Borneo. Palembang again reverted to the possession of the natives; and the queen of Boni, taking advantage of the great part of the Dutch forces being withdrawn from Celebes, took the field with an army to expel the remainder. Nothing but the arrival of troops from Europe seemed likely to enable the Netherlands to retain its Eastern dependencies in subjection: the most urgent applications were made at Brussels and the Hague from the governor of Java, and were not unheeded by the government at home; but fortune seemed to have sworn to thwart all their projects.

An expedition, consisting of the Waterloo and Wassenaer men of war, was fitted out in the end of the year for Java, where the power of the insurgents was most alarming, and sailed from the Helder in the beginning of January, having on board a reinforcement of two thousand men. Scarcely had they left the shores of Holland, when they were overtaken by a violent storm. The

Wassenaer, after having lost her main-mast, and endeavoured in vain to come to an anchor, while not a cable would stand, drifted towards the shore, struck on the banks to the north of Egmont, and instantly filled with water. As she had struck so near the shore, a number of vessels were sent to her relief; and, the weather becoming more favourable, she held together, till all on board were brought safely on shore, except about forty persons, almost all of whom had been drowned when she first filled upon striking. Her consort, the *Waterloo*, stood out the tempest with better success, and came to an anchor under the island of Borkum, after having been entirely dismasted.

IN WIRTEMBERG and BAVARIA every thing was tranquil and contented. In succeeding his father, Louis of Bavaria succeeded the most popular prince in Europe; for to no monarch were a people ever united by a more hearty regard and good will, than were the Bavarians to Maximilian Joseph. But Louis was far from being a loser by being compared with his predecessor. He was equally liberal in disposition, but had more foresight, severer habits of thinking, and greater firmness of character. As crown prince, he had been distinguished by his love of the arts, and the collecting of their productions was the only luxury of power in which he was fond of indulging. He resisted steadily the officious attempts of the jealous cabinet of Vienna to interfere with the popular forms of government which had been established by his father, and refused to lend himself to its prying policy. Even the vigi-



lance of his own police was disagreeable to him: and assuredly there can be no greater degradation of a government than that it should sink down into a mere superintendence of bailiffs and police officers. The Director-general having brought him the usual police report, "In future" said he, "I will dispense with your presenting me such reports; I don't wish to know scandalous anecdotes, or to penetrate into family privacy. All I require of you is, carefully to watch over the maintenance of good order, and the safety of the citizens." Prodigality, arising from facility of disposition, had been the greatest defect of the late king; he had multiplied useless places for his friends at the expense of his subjects. Louis, on the other hand, instituted a severe scrutiny into every branch of expenditure, and carried into effect every possible reduction. This system of economy naturally injured many private interests; but it was rendered imperious by the state of the finances: and his only detractors were those who suffered because the nation gained. In replying to an address presented by the deputies of the town of Anspach he said; "In order to make savings, I have been obliged to make retrenchments; many branches of expenditure have been diminished half. Doubtless these measures have displeased many persons; but I could not do otherwise. People make an outcry, yet I have done only what is just. Many other changes would be necessary, but humanity restrains me. As for the persons in office, who are affected by these measures, they shall have sufficient to live upon. Even in the last assembly of the

States, many reductions should have been made, but it was proper to respect the will of my father. In the next session our budget will be very different from what it was; and if things had remained on their former footing we should have been bankrupts."

He introduced reform into his council of state, his court, the departments of his ministry, the administration of his hereditary domains, the number and pay of his troops, and, in short, into every part of the national charges. By these reforms, no less a sum than a million of florins annually was saved to the public. On the other hand, positive improvements were effected in the system of public education and the management of ecclesiastical affairs, while the rights of individuals were consulted, and the laws of the constitution maintained and consolidated.

In the dominions of AUSTRIA, the Hungarian diet, which had been convoked in the autumn of the preceding year, still continued to sit in Presburgh. They had not yet agreed upon the final representation to be made to the emperor regarding the observance of the Hungarian constitution, and the losses which had been sustained from the authorized depreciation of the imperial paper-currency; they manifested a strong desire to enforce practically, what certainly is a rule of their constitution, that the important matters of recruiting and taxation should be regulated by themselves; they still shewed that the bad humours produced by the rather haughty tone of the emperor's answer to their first petition of grievances, had not yet dispersed; and the archduke Palatine still found it



necessary to act as mediator between them and his brother. Those who could see in the conduct of the diet only the plain symptoms of incipient rebellion, visited them with unmeaning abuse as asserters of insurgent doctrines, and inveighed against the constitution which permitted such doings among any part of the subjects of his imperial majesty. These attacks may have been directed by a secret hand, to excite dislike for the constitution as a prelude to suppressing it, for the proceedings of the diet had been too serious to make it assailable by ridicule; but this was the only side on which the Hungarian constitution possessed any strength. It is only as a powerful oligarchy, perfectly able, and legitimately entitled, to control the crown, that it can ever be of any use to Hungary: in no other way can it be advantageous to the great mass of the population, for they have no share in its constitution or deliberations, and it has its full quota of oligarchical vices. The diet, however, is proud of its constitution, and waxed highly wrath that it should be abused and undervalued. In an address of congratulation which they presented to the emperor upon his birth-day, they said, "Your majesty cannot be ignorant in what unworthy colours the Hungarian nation, which is so faithful to you, has been represented by the calumniators of our name and our institutions. These enemies of all legitimate rule, of order, of tranquillity, and of all power established by God, dare to circulate in their journals, assertions, in which our ancient constitution, consecrated by so many centuries, is treated with infamous derision; not only is our fidelity to your

sacred and hallowed person called into question, but black thoughts are attributed to our nature, from which our minds recoil with horror."

The emperor, in his answer, assured them that he knew perfectly well what value was to be set upon the opinions of such calumniators, and that from him they received the contempt they deserved. But, remembering at the same time, that legislative bodies are convoked for doing business, that this Hungarian diet had been sitting four months, and done nothing, and, above all, that it had done nothing for the doing of which he had convoked it, "he was induced," he said, "by his confidence in the sincerity of the wishes of the diet for the public weal, to add a few words" of advice. "The public good," said the emperor, "requires at all times, but particularly in our days, not only that the most perfect union and reciprocal confidence should exist between nations and their princes, but also that they should be openly evinced in the most unequivocal manner. With a heart full of joy we assembled, last autumn, the estates of the kingdom around our royal throne; every word uttered by us on the presentation of the royal propositions, sufficiently shews with what confidence we opened this diet. We justly hoped that the estates of the kingdom would profit by this long-desired opportunity to dedicate, under the protection of our thirty-four years experience, their activity and ardent zeal to the objects judged necessary to the real good of the kingdom. Have their labours, their deliberations, and the result of them up to this time, attained the end of our wishes and



our hopes? We leave it to the estates themselves to decide; a father has a right to put this question to his children.

“We hope that these words, proceeding from the bottom of our heart, will attain, where they ought to have their full force, the object which our benevolent intentions proposed. We have spoken thus, because we wish to have no reproach to make either to ourself or our kingdom.”

Austria could not have much upon her conscience in relation to the Slave-trade. She had neither colonies in which slaves might be employed, nor a commercial navy to seek gain by shipping them as a profitable cargo. Her flag was scarcely known out of the Mediterranean: her slavery was confined to the civilized nations of Europe; and in no country could the slave-trade be more safely denounced with a certainty of injuring no one existing interest. In August, an imperial decree was issued, which, after proudly proclaiming that “every slave becomes free from the moment he touches the soil of Austria, or even the deck of an Austrian ship, and the slave of a foreigner recovers his liberty the instant he is given up, on whatsoever account, to an Austrian subject,” provided, that every Austrian subject, who should oppose any obstacle to the personal liberty of any slave conveyed to him, or alienate anew any slave so conveyed, whether in the territories of Austria, or elsewhere — also every captain of any Austrian vessel, who should charge himself with the transporting of slaves, or directly or indirectly, interpose any obstacle to the enjoyment of personal freedom, acquired by such as might come on board his vessel — should be held guilty of a breach

of the public peace, and be punished with close imprisonment, from one to five years. If a captain of an Austrian vessel, or any other Austrian subject, should engage in any continued commerce of slaves, or any thing relating thereto, the penalty was to be augmented to imprisonment for ten years, and where the circumstances were aggravated, for twenty years. Ill usage of a lighter character was to be punished with a fine, and an imprisonment varying from three days to three months, to which, in cases of repeated offences, were to be super-added fasting and rigorous seclusion. These measures proved the existence of good dispositions, indulged without the sacrifice of any interest, or the conquering of any resistance. They were chiefly directed to the war in the Levant between Greece and Turkey; they were expressly extended to prisoners of war who had fallen into the hands of an enemy that treated its prisoners as slaves; and going directly, therefore, to prevent Austrian vessels from being employed to transport prisoners of war, they were the first symptoms which Austria had displayed of looking with one eye, at least, of mercy upon the Greek cause. In the dispute between Spain and Portugal, likewise, she shewed a wise and pacific disposition. France was unwilling to move in defence of rebellion against legitimacy: Austria herself, Russia, and Prussia, were too distant from the scene to act with any effect: Don Pedro, whose authority was attacked, was the emperor’s son-in-law, and the young queen, who was to be dethroned, was the emperor’s granddaughter. The Austrian cabinet, therefore, very wisely kept Don Miguel quiet at Vienna, while the insurgents were running wild in



his name on the frontiers of Portugal, and persuaded him to insure the crown by accepting it with a wife, rather than risk its loss, and his own destruction, in attempting to grasp it by rebellion against his brother and his niece.

IN PRUSSIA, part of the inquiries which it had been found necessary to institute into the practices and constitution of certain secret associations of fanatical friends of liberty, were brought to a conclusion. Almost from the very conclusion of the war, the notice of the German courts had been directed to these mischievous societies, composed of men, or rather of raw youths, whose only striking qualities were hot-headedness, an utter ignorance of the world and its affairs, an unconquerable attachment to chimerical schemes for establishing what they called liberty, and deemed an amelioration of the condition of mankind, and no small disregard for the ordinary rules of morality in the pursuit of their projects. For a long time, the more liberal, but still rational thinkers of Europe, had believed these plots to be imaginary, or that they were at most merely the pranks of a set of madcaps, exaggerated into formidable conspiracies by the fears of despotic governments who felt public opinion tottering beneath them, or wilfully misrepresented, to furnish a pretext for crushing every spark of manly freedom; but the discoveries effected by the police, year after year, the investigations now instituted in Prussia, and still more those of the commission appointed to inquire into the conspiracy which broke out in St. Petersburg on the death of the emperor of Russia, rendered scepticism either as to the existence, the objects, or the rami-

fications of these confederacies, any longer impossible, and freed the governments from much of the odium which had been cast upon them, except, perhaps, the odium of having contributed to the continuance and the growth of this dangerous spirit by their pertinacious refusal to admit into their political institutions, any sprinkling of public opinion, or popular forms. In the month of May, the inquiries regarding a society named "The Association of the Youths," were terminated; and, of twenty-eight members of it who had been seized, eleven were condemned to imprisonment and hard labour for fifteen years, two to the same punishment for thirteen years, two for twelve years, and twelve for various terms, from eleven down to two years; all of them were deprived of the national cockade, and honorary distinctions; and those, who held any office, were cashiered, and declared incapable of being employed in future. At the head of these intrigues, so far as could be known from authentic sources, was the Association of Men, whose ramifications were said to extend beyond Germany, and to be connected with factions in other countries. Immediately subject to it, and bound by an oath of unlimited obedience, even to the assassination of enemies of the Association, was the Association of the Youths, the members of which were scattered throughout Germany. This Association divided Germany into twelve circles, and appointed a chief in each. There was a supreme chief, by whom, and some others, the general affairs were directed, and the connexion with the Association of the Men was conducted. Its object was, to overthrow existing institutions, and excite discontent and rebel-



lion. The members were trained to arms, and were subject to the control of unknown superiors. Immediately under this were the Secret Associations, over which members of the Association of Youth presided; but the mass of their members were ignorant of the existence of the Association. These met several times in a year, and Germany was divided by them into three main divisions. Under them was the Burschenschaft, and under that, the reading societies and clubs. It is surprising that the young men who entered into these criminal associations, should, after all they had seen, have been so deaf to experience. The precautions which had so long saved their university-clubs from discovery and destruction, seemed to lose their virtue when applied to these more dangerous unions. It was plain from their history, either that they could not so contrive their arrangements as to exclude spies from their very bosom, or that amongst their members some were always to be found, willing, when imprisoned on suspicion, to make their peace with government by revealing whatever was known to them. This was no doubt perfectly natural in associations so widely extended, and including so many varieties of head and heart, especially when the volatility and rashness of youth and enthusiasm combined are taken into account; but the almost absolute certainty of detection was unable to crush the flame; and the young men still continued to train themselves, by unruly and seditious conduct at the universities, for founding new confederacies, and planning new rebellions. At Halle the behaviour of the students was so bad, that, at the end of the first session of the year, an ordonnance was

issued, directing, that every one of them who should make himself liable to punishment, should be expelled; that a list of them should be returned every six months, to the royal commissioner over the University, to be by him communicated to the Consistories, provincial colleges, and other public bodies, with orders to admit no person contained in it to any public employment, or to the examinations which it might be necessary to undergo, before commencing the practice of a profession. The departments of justice and finance were likewise to be shut against them.

The unexpected events which had occurred at St. Petersburg in the end of 1825, left behind them, within a few days, scarcely any trace of their existence, except what was to be found in the trials and punishment of the conspirators. Although it was the army, the most formidable foe when disaffected, and when faithful the only trustworthy support of absolute power, which had excited the revolt, and dipped its hands in loyal blood, the rebellious movement did not extend beyond the daring attempt made at St. Petersburg in the north, and the more abortive one at Kiev in the southern part of the empire. The rest of the troops submitted peacefully and willingly to the new emperor; the resignation of Constantine, from whatever cause it might have originally proceeded, whether from an improbable disinclination to the cares of imperial power, or a reluctant assent to the will of another, was now certain and final; and, if he possessed the power, he shewed by the frankness and sincerity of his conduct, that he had not the



inclination to excite civil war, by acting on the prejudices of the people in favour of the regular order of succession. The throne of Nicholas seemed to be as firmly rooted as if he had been always destined to it from his birth; a suppressed revolt only gave it, as it always does, additional security; his character was respectable and popular; his activity in business was exemplary; even to the disaffected military, the intrepidity, the coolness, and the energy of his conduct, amid the tumults and dangers of the 25th of December, were powerful recommendations.

His first care was, to acknowledge the services of those who had been faithful to him; they were liberally rewarded with promotions and titles of honour: a pension was given to the relations of general Miloradovich, who had fallen in his defence. The punishment of the traitors was the next object. It was a good sign of the government, that, far from indulging, from the fears and provocation of the moment, in indiscriminate executions and proscriptions, it proceeded with great calmness and moderation, regularly to ascertain the guilt of the different criminals by an investigation to which it afterwards gave every publicity. There was policy in this, as well as justice; it was desirable to reach the conspiracy throughout its minutest ramifications, and not to cut off, by an over-hasty zeal to punish, any probable sources of important information. A special commission of inquiry was appointed in January for the trial of the rebels. It consisted of the grand duke Michael, the minister at War, general Tatistcheff, president; the privy Councillor, prince Gallitzin;

the aide-de-camp, general Golenistcheff; Koutousoff, military governor of St. Petersburg; the aides-de-camps, generals Benckendorff, Lewascheff, and Patassoff.

At the same time he set about remedying the abuses, which, although they neither produced nor justified the treasons of the conspirators, might have been used by them to excite popular discontent, and conceal their real motives. Negligence in the execution of the laws, and corruption in the administration of justice, were widely diffused. It appeared, from a report of the minister of justice, that sixteen different governments of the empire had neglected to carry into execution no fewer than 2,749 ukases, addressed to them by the directing senate from the year 1822 to 1824, of which 660 were for the government of Kursk alone. The committee of the ministry immediately ordered the sixteen governments to be severely reprimanded, to be enjoined to carry these ukases into execution within the term of a year, and to be ordered to account for the delay. But, the resolution of the committee being laid before the emperor, his majesty allowed only three months for the execution of ukases, and added, that it should be intimated to the civil governor of Kursk, that, if he should be guilty of such irregularities in future, he would be prosecuted before the criminal court. Nothing could show more clearly the helplessness of the despotic head of an extensive empire, than that so many ordinances of Alexander for the good of his subjects, or the interests of his authority, should have been lying disobeyed and disregarded in the custody of the very officers to whom their



execution had been intrusted, without either he or his ministers having any knowledge of the fact. Instructions were likewise issued, enjoining the civil governors of the empire to demand of all judicial tribunals within their respective provinces the most prompt decision of causes pending before them, whether civil or criminal, and especially of criminal prosecutions affecting the life of the accused. The governor of Smolensko, against whom loud complaints of negligence were made, was reprimanded for the dilatoriness which existed in the proceedings of the courts of that province; and the attornies-general of the different governments were specially charged to watch over the strict execution of the imperial will, and to report to the minister of justice every instance which might occur of negligence in a judge. An abstract of these reports to be communicated every month to the emperor himself.

The empress Elizabeth had been with the emperor when he died, and she did not long survive him. A chronic disease had, for many years, been undermining her health, and the physicians had advised a journey into the south of the empire, in the hope of effecting a cure which was deemed impossible in the climate of St. Petersburg. The change of air seemed to produce a favourable effect, but it was fatally counteracted by the illness and death of Alexander, over whom she watched to the last with exemplary solicitude and assiduity. From that moment she felt that death was approaching herself. Having set out from Taganrog to join the empress mother at Kalouga, her disease evidently increased at every stage;

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but she persisted in continuing her journey, contrary to the remonstrances of her physician, and her suite. Her situation became so alarming, that an express was sent to the empress mother, who had already arrived at Kalouga, acquainting her with the danger, and requesting her to come to Beleff, a town between Kalouga and Orel, the empress being unable to proceed further. The former immediately set out; but before she could arrive at Beleff, the empress had expired on the 16th of May.

Insurrections have been produced in our West-Indian colonies, by the negroes being imbued with a belief, that government had decreed their emancipation, and that they were deprived of its benefits by their owners suppressing the fact. A similar belief had gone abroad among the serfs and peasants of Russia, although it displayed itself as yet only in murmurs and petitions. Alexander had abolished the personal servitude of the peasants of the crown, and, with the consent of the greater part of the land-owners, had extended the benefit of the measure to the peasantry of the German provinces of the empire, Livonia, Esthonia, and Courland. But the same freedom could not be used with the less enlightened proprietors of old Russia: to have emancipated their serfs would have been to injure too many interests, or rather, to wound too many prejudices, which the emperor found it necessary to respect. He was compelled, therefore, to rest satisfied with preparing the way for such a measure, and, as one important step, he had prohibited the proprietors from making a traffic of their serfs, whom they had hitherto been in the habit of selling like

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cattle: they might be sold with the estate to which they belonged, but they were no longer to be handed over from master to master, as forming of themselves an article of commerce. The peasants naturally thought that, where this had been granted, more was intended; they wished to be placed on the same footing with their brethren in the German provinces; they were misled, perhaps, by political agitators, for a much worse purpose; and they asserted that an ukase, decreeing their complete emancipation, had been prevented only by the sudden death of Alexander. These feelings and ideas daily gained ground; the peasants on the crown lands believed that they had been released from taxes which were still exacted from them, and the peasants of the landowners, that they were freed from absolute obedience to the will of their lords. Numerous petitions, founded upon these suppositions, were addressed to Nicholas; and just about the time when the investigations of the commission of inquiry into the plot of December had discovered a perseverance and extent of conspiracy to which such a spirit in the peasantry would have been a most useful ally, a decree was issued, correcting the errors of the peasantry upon both points, ascribing them to the machinations of seditious and evil-disposed persons, but threatening, if they were acted on, to punish with the whole rigour of the law. All further petitioning on such matters was prohibited; and it was ordered, that the authors of such petitions should be delivered over to the tribunals, and severely punished, as disturbers of the public tranquillity. It was a harsh measure to punish subjects for addressing peaceable peti-

tions to their sovereign; but expectations would have been entertained, and the assertions of the peasantry would have been thought to be acquiesced in, so long as petitions were received without censure. To crush all hope, and repress every expression of discontented feeling was, at the moment, the policy of the government.

After an investigation, which lasted nearly five months, the commission of inquiry into the conspiracy which had led to the events of the 26th December, terminated its labours; and, in a long report, developed the origin, the constitution, and the objects of the secret societies in which the conspiracy had originated. This report was founded almost entirely on documents belonging to these societies themselves, and on the evidence and confessions of the accused, who seem all to have been willing to reveal every thing they knew. The first idea of such associations had been imported by some young military men in 1814 and 1815, who had become acquainted with them as they existed in Germany, and who, believing in their infallible tendency to create liberty and happiness, had resolved to transport them into Russia. The first persons who proposed the plan were Alexander Muraviev, a captain on half-pay, captain Nikita Muraviev, and colonel prince Trubetsky. These original conspirators were soon joined by others, almost all officers of disbanded regiments; and they proceeded to organize the first secret association, under the name of "The Union of Safety, or, the true and faithful Sons of the Country." This society included three classes, that of *brethren*, that of *men*, and that of *boyars*. From the last class,



superior to the other two, were chosen every month the elders and directors, namely the president, the superintendent, and the secretary. The admission of members was accompanied with solemn ceremonies. The candidates took an oath to preserve secrecy in every thing that should be confided to them, even when their opinions should not agree with those of the society; they bound themselves to proceed towards the object of their union, and to submit to the decision of the supreme council of boyars, although the boyars were to remain unknown to all the individuals of the inferior classes. At this time, the society consisted of Alexander, Nikita, Serg, and Matthew Muraviev, Prince Serg Trubetsky, Novikov (formerly director of the office of governor-general of little Russia), Michael Lounine, and three other members, who subsequently abandoned it at different periods, and broke off all connexion with their more ardent colleagues. Its object, from the beginning, was a change in the existing institutions of the empire. Such were the unanimous declarations of Alexander, Serg, Matthew, and Nikita Muraviev, as well as Pestel. Prince Trubetsky affirmed that, aware of the weakness and temerity of their enterprise, they discussed at their meetings the means of promoting the good of their country, and of furthering the accomplishments of every useful design. Their principal object was to increase the force of their society by the acquisition of new members, whose talents and moral qualities were to be supported upon good testimony, as a qualification for their admission. In the mean time they secured the accession of M. Yakuchkine, and major-ge-

neral Orlov, who was employed along with Count Mamonov, and the counsellor of State, Nicolas Turguenev, in the formation of another society, which was to bear the title of the Russian Knights. Major-general Michel Orlov, and Alexander Muraviev, tried to effect a junction of their respective societies, but they could not agree upon the terms of the union. The plan failed, and an association, of which the general had conceived an idea, namely, to prevent the erection of a kingdom in Poland, was not formed. The original society made no progress. Some of its members, particularly one Pestel, left Petersburg; others discovered inconsistency in its views, and inconveniencies in its laws. Others again, and especially those who had simply consented to fraternize with the Union of Safety, required that the society should limit itself to acting slowly on the public mind, that it should change its statutes, which had for their basis the principle of blind obedience, and the employment of violent means, and that it should adopt, in place of them, regulations to be drawn principally from the code of the German *Tugend-Bund*, or association of virtue. The primitive members of the society opposed the alteration for a long time; and it was during the deliberations upon this subject that, in 1817, the assassination of the emperor Alexander was first broached, and that too upon suppositions which almost implied frenzy in those who entertained them. One of the members had received a letter from Troubetsky, announcing that the emperor had the intention of restoring to Poland all the provinces conquered by Russia, and that, foreseeing on



the part of the Russians, discontent and opposition, he intended to retire to Warsaw with his court, and leave the country a prey to anarchy. This intelligence, of which the conspirators themselves acknowledged the absurdity, produced upon them an effect scarcely credible. They cried out that an attempt upon the life of the emperor had become an object of urgent necessity. Prince Theodore Schakousky proposed not to delay the execution of it longer than the day on which his regiment was to mount guard. They even wished to draw lots who should be the assassin, when, excited by the agitation of his companions, and inflamed by their discourses, Yakouchkine offered his arm for regicide. Even in his madness he seemed to feel the enormity of the crime which he meditated. "Fate," said he, "has marked me for its victim. Having become a criminal, I shall no longer be able to live. I shall strike the blow first, and then kill myself." The proposal, however, was at that time carried no further; because they were convinced that the crime would be useless, and Yakouchkine, who seems to have been really mad, broke off all connexion with the society.

The association having hitherto enjoyed so little prosperity, changed its name into that of "The Union of the Public Weal," and adopted a new constitution, and new regulations. By the first part of these regulations the members declared that they entertained no intentions of injuring government, and that they pursued their labours in secret only to avoid the perverted constructions of malevolence and hatred. The members were divided into four classes. The first had

for its object philanthropy and beneficence, public and private. The second had for its object, intellectual and moral education, the establishment of schools, particularly on the Lancasterian system, and, in general, co-operation in the instruction of youth. To the members of this section was confided the inspection of all schools. The third had for its object, to watch over the proceedings of the tribunals. Its members bound themselves not to refuse any judicial appointment that should be offered, to fulfil their duties with zeal and exactness, to encourage persons of integrity employed about the tribunals, and to denounce to the government those who betrayed their trust. The members of the fourth class were to devote themselves to political economy, to encourage industry, to consolidate public credit, and to oppose monopolies. The interior organization of the society was as follows:—Its founders were to form the central union. From this union was drawn the central council, composed of a president and four assessors. When the members of the central union joined this council, the assembly took the name of the Central Direction. The central council exercised the executive, and the central direction the legislative, power. The direction had, besides, the power of nominating a temporary chamber of legislation to examine, explain, and complete, the laws of the union without changing their object. Thus the whole authority of the society, and the power of directing it towards any object, was wielded by its founders, members of the original association. It belonged to them to receive new members by establishing each a direction. These



directions were called effective, secondary, and principal. They took the title of effective directions, as soon as they were composed of ten members. Every effective direction could establish a secondary one, which had no relation but with it. But if the secondary direction established, in its turn, another composed of ten members, it became independent of its founder. The title of principal direction was given to those which had established three free societies. The principal direction had the prerogative of receiving the second part of the regulations. In every direction there was elected a council, composed of an overseer or two chiefs, according as the direction consisted of ten or twenty members. All affairs, both in the directions and central union, were decided by a plurality of votes. The names of the members who had merited well of the union were inscribed in a book of honour, and those who had been expelled, in a book of ignominy. They had the right of leaving the union, but were bound to secrecy on every thing which they had learned while in it. There was no particular ceremony of admission. The new member put in a written declaration, which was afterwards burnt without his knowledge. Every member was bound to give to the treasury the twenty-fifth part of his annual income; but this regulation was so little observed, that only five thousand roubles were collected in all, and these were spent for purposes unconnected with the objects of the society.

Such was the character, and such were the ostensible objects of the first part of the regulations of the society. But these were, so

to speak, only the doctrines of the exoteric school; there was an esoteric school, into which only the more select conspirators were admitted, and in which their practical political schemes for the regeneration of Russia were discussed, almost every conceivable plan of reform being proposed, and no distinct course ever resolved upon or adopted. Some wished to establish a government, in which the supreme authority should be concentrated in a triumvirate, of which they flattered themselves they would make a part: others intended to divide Russia into several independent administrations, united by a federal bond, to be called states, of which they hoped they would be constituted the heads: others dreamed of detaching different provinces of the empire, either to give them complete independence, or to cede them to neighbouring powers: and others still were willing to retain monarchy, transferring the crown from Alexander, to his wife the empress Elizabeth. There was no unity of sentiment or design, no steadiness of purpose: what had been unanimously agreed to was frequently unanimously altered a few hours afterwards. The assassination of the emperor was again spoken of, and steps towards its perpetration were actually taken; but whether by the mad zeal of individuals, or in execution of resolutions of the whole body, was very doubtful. In 1823, two members went for that purpose to Bobronisk, through which the emperor was to pass, but the non-appearance of their accomplices discouraged them from making the attempt. In 1825, it was once more resolved upon: a man who had been loaded with



favours by the emperor, strenuously manifested an eager desire to be the assassin, objecting to all delay; and it was decided that the regicides should proceed to Taganrog, where his imperial majesty resided: but, upon further deliberation, it was agreed to delay the enterprise till the month of May, 1826, when the conspirators supposed he would review the troops in the neighbourhood of Bela Tserkoff. In the autumn, too, of 1825, another conspirator arrived at Petersburg, from the extremities of Russia, and, having been affiliated in the northern association, offered his arm to assassinate the emperor.

It is impossible to conjecture what might have happened, if Alexander had lived to review his troops at Taganrog, where such discoveries had already been made to the emperor of the machinations that were going on, as led to the immediate adoption of measures of precaution, and gave the first information of the plot to the government at St. Petersburg. His unexpected death, however, took them altogether unprepared, and, joined to the knowledge that part of the plot had been already detected, induced them to act rashly, in the hope that the confusion of the moment might supply the want of means and foresight. The submission of Constantine deprived them of one great hold upon the army. Batenkov, who, when the attempt was actually made, was one of the first to desert his party, exclaimed—"That the opportunity which they had suffered to escape would not recur in fifty years; that if there had been any wise heads in the council of state, Russia would, at that moment, have been taking an

oath of fidelity to a new sovereign, and to new laws; but that all was irreparably lost." The intelligence, however, that the grand duke Constantine persisted in his refusal of the crown, gave fresh life to the hopes of the conspirators: they flattered themselves that they could deceive the troops and the people, by persuading them that the grand duke never had renounced the crown, and, under this pretext, excite them to overturn the government. The faction was then to take advantage of the confusion, to establish a provisional government, which should order chambers to be formed throughout the provinces for the election of deputies. Two legislative chambers were to be instituted, the highest to be composed of permanent members. They were next to proceed to form provincial chambers, which were to have a local legislation; to convert the military colonies into a national guard; and place the citadel of St. Petersburg in the hands of the municipality.

According to another plan, developed by Batenkov, the conspirators were to separate, some proclaiming the grand duke Constantine, and others Nicholas; and if the majority should be in favour of the former, the latter was either to have consented to the re-modelling of the public institutions, and to the establishment of a provisional government, or to have postponed his accession to the throne; and then the conspirators, declaring such postponement to be an abdication, were to have proclaimed the grand duke Alexander, his son, as emperor. Batenkov assumed that, at the moment of this revolutionary explosion, an attempt would be made against



the life of Nicholas, and Rieliev embracing Kahovsky, said to him, "My dear friend, you are alone in the world; you ought to sacrifice yourself for the sake of society: assassinate the emperor." At the same instant the other conspirators embraced him, and he promised to do it. He was to have gained access to the palace, disguised as an officer of grenadiers, or to have waited on one of the steps which his majesty was to have passed; but he discovered subsequently that the project was not feasible, and the conspirators concurred in his opinion.

It was known that the manifesto of the emperor Nicholas on his accession to the throne would appear on the 26th of December, and that day was fixed upon by the conspirators for the out-breaking of the revolt; trusting, notwithstanding their want of concert, that their own military influence, and the name of Constantine, the legitimate heir of the throne, whose refusal of the crown was to be represented as a falsehood, or as the effect of compulsion, would seduce the soldiery in the critical moment when they were about to take the oath to Nicholas. Even on the 25th they were sanguine as to their success. Baron Steinbell had already begun a manifesto, announcing that the two grand-dukes had given up to a noble band of patriots the nomination of a sovereign; that the senate had ordered a general convocation of the deputies of the empire; and that in the interval there was to be a provisional government. As the moment approached, the greater number of the conspirators exhibited impatience, and their leaders betrayed irresolution, remorse, and fear.

It was decided that their chief should go the following day to the senate-house, and head the troops who refused to take the oath; but the two captains, who were to command under his orders, contrived to be absent; the one, because, having been but newly initiated into the conspiracy, he did not thoroughly understand its object; the other, because he suspected the majority of the leaders. Of the principal conspirators who were to have appeared at the rendezvous to take the command of the troops, Bulatov presented himself merely as a spectator; Yakubovitch did not remain an instant; and prince Trubetsky hastened to take the oath to Nicholas, thus hoping to efface a part of his crime; and then fled to the Austrian minister, his wife's brother-in-law, where count Nesselrode claimed him by order of the emperor. Batenkoff followed his example. The inferior traitors behaved with greater courage, and, at least, did not betray their cause, wicked and impracticable as it was, in the moment of danger. Rieliev had succeeded in seducing the officers in the marine barracks, who, after a long resistance, determined to take part in the insurrection; and the sailors, led away by them, refused to take the oath. General Schipo, who had been commissioned to administer it, placed the officers under arrest; but they were speedily liberated by the conspirators, exclaiming, "Do you hear those volleys? your comrades are being massacred!" At these words, the battalion darted from the barracks, and met with a lieutenant of the regiment of Finland, who cried out to them, "Form against the cavalry."

Prince Stchapine, after having



encouraged his soldiers, directed them to fill their cartouche-boxes and load their arms with ball cartridge, to seize the grenadiers' flag, and to drive back the troops who remained faithful. In doing this, general Fredericks, major-general Schenschin, and several other officers were wounded. The rebels succeeded in seizing the flag, and moved towards the senate house. Yet this traitor Stchapine, notwithstanding his conduct in the barracks, in the morning when he rose had addressed the following prayer to God:—"Oh God! if our enterprise is just, grant us thy support; if not, may thy will be accomplished." Nearly similar means caused the revolt of the guard of grenadiers, who united themselves to the companies seduced by prince Stchapine; and many persons armed indiscriminately with pistols, poignards, and sabres, mixed in their ranks. But the fidelity of the great body of the troops in Petersburg, the energetic measures immediately adopted by those at their head, and the intrepidity and presence of mind of the new emperor himself, instantly crushed the momentary success of the mutineers; they had no longer a plan or leaders, and any farther struggles were the mere efforts of individual frenzy or despair. A conspirator named Kahovsky, who mortally wounded general Miloradovitch, after committing another murder by killing colonel Sturler, threw away his pistol, saying "I have done enough to day; I have already two upon my conscience." The enterprise having failed, those who had been concerned in it hastened to give information against each other. The conspirators who were preparing for

revolt in the southern provinces, were arrested in consequence of the discoveries which had been made even before the death of Alexander. Some disturbance was excited at Vossilkov, by the brothers Muraviev, who from the beginning had been active in the conspiracy; escaping from their prison, and, in conjunction with some other officers, endeavouring to seduce the military, instead of seeking safety in flight. The mutiny was immediately quelled by a detachment of hussars: the conspirators being given up by their men, or killed in the action.

Such was the substance of the information collected from the papers and evidence of the conspirators themselves regarding the character, the constitution, the objects, and the proceedings, of these traitorous associations, from their first institution in 1816 down to their first open attempt at revolt in 1825. The success with which they were concealed for ten years, gradually augmenting their numbers, and extending their ramifications, exposed all the time to a strict and active vigilance, would lead us to think that their members must have been persons of no ordinary tact and prudence; were it not, that the consuming of these ten years, without having formed even the rudiments of any feasible plan—the fantastical arrangements and classifications of their internal economy—their vague and mystical philanthropy, while they looked upon assassination with indulgent eyes—the rashness of the attempt on which they at last resolved—and the want of concert and fidelity among themselves when it was actually made—compel us to acknowledge, that they neither knew very distinctly what they wished



to attain, nor had formed any rational judgment how it was to be attained. They were exaggerated copies of German originals; but they were more dangerous, because their strength lay in the army, to whose voice, if it once spoke in the language of disaffection, nothing could be successfully opposed, and because they numbered among their adherents a greater number of men whose rank and situation gave them influence, and ought to have given them education. With the most contemptible means, they speculated on carrying through the most extensive schemes, beset with innumerable difficulties. Their leaders acknowledged that their ideas were neither understood nor relished by the citizens of Petersburg and Moscow: yet these citizens are wealthy, powerful, and well informed; but they displayed no predilection for the political theorists. To shake the fidelity of the army was the only hope of the conspirators; that object itself was to be effected by a momentary illusion acting on that very fidelity; and the whole plot, from its opening to the catastrophe, proved that a military revolution was the only one which Russia had as yet to fear.

To the report of the commission of inquiry was subjoined a scale of the different degrees of guilt which it thought imputable to the various parties implicated; but it had been made no part of its duty to pronounce sentence. For this latter purpose the emperor appointed a special tribunal, whose members were taken from the council of the empire, the directing senate, and the synod, with the addition of some other persons both civil and military. To this high court was referred the report of the commission,

that it might apportion the punishment of the guilty. By their sentence, out of one hundred and twenty convicted criminals, who, by the laws of Russia, were all worthy of death, five were condemned to the pain of death, to be inflicted by their being quartered, and thirty-one to death by decapitation; nineteen were condemned to political death, and to hard labour during life; thirty-eight, to labour hard for a limited term, and, at its expiry, to be exiled for life to Siberia; eighteen, to perpetual exile in Siberia, being first deprived of their nobility and disgraced; one individual, to serve in the ranks as a common soldier, being first degraded, and deprived of his nobility, with the faculty of future advancement, according to his service; eight individuals, to serve as common soldiers, without deprivation of their nobility, and with the faculty of future advancement. The clemency of the emperor, however, interfered to lessen the number of the capital punishments. The law was allowed to take its course only against Pestel, Serg Muraviev, and Rumeni, who, from the first institution of the societies, had been their most active and dangerous leaders; Rieliiev, who had proposed, and Kahovsky, who had undertaken, the assassination of Nicholas, the last, moreover, having likewise been the murderer of general Miloradovitch and colonel Sturler, on the 26th of December. Even in regard to these the sentence of being quartered alive was changed into the punishment of the gibbet. The sentences of the other prisoners condemned to death were commuted, in the greater number of instances into hard labour for life with degradation and loss of nobility, in



a few cases into hard labour for twenty years with a similar degradation, and exile for life to Siberia, after these twenty-years should have expired. Pestel and his accomplices were executed on the 26th of July; and, on the same day, in front of their gibbet, the ceremony of degradation was performed on the prisoners of whose sentence that punishment formed a part, except the naval officers, who were sent to Cronstadt, to be degraded on board a man of war. The fate of the officers condemned for life to labour in the mines, or drag out existence in Siberia, was scarcely to be envied in comparison with the lot of those who suffered on the scaffold. Any man may nerve himself to meet the mere extinction of life, and every man does it at last, whether he meet it on his couch, or on the scaffold; but protracted death, the lingering torture of hopeless banishment, the privation of all that can render life itself acceptable, permission to breathe, when every moment brings with it the wish to die, is an accumulation of misery at which the heart sickens. Yet this was the destiny to which many staff and superior officers of Russia were doomed, had not the well-judged policy of the emperor intervened. After a careful inquiry into the extent to which they had approved, or actively forwarded, the treasonable views of the conspirators with whom they were involved, he ordered them to be discharged from any sentence pronounced by criminal courts, and to be liable only to correctional punishments. The same merciful disposition, not more humane than wise, was manifested in the punishment of the conspirators implicated in the insurrection excited by Muraviev at Kiev. Baron

Soloviev, and two lieutenants, being condemned to death, their sentence was commuted into hard labour; one officer was sent to Siberia, and four were degraded to serve as common soldiers in distant garrisons. As those of Muraviev's band, who had fallen in the conflict with the troops who dispersed them, were beyond the reach of the executioner, gibbets, with their names, were ordered to be placed upon their graves instead of crosses. Of the officers not engaged in the conspiracy, prince Meschtchaki, and several others, were punished with imprisonment on account of their cowardice.

The whole progress of this judicial inquiry, as well as its termination, was most honourable to the character of the Russian government, and the new emperor. It was begun in no passionate or vindictive humour; it was prosecuted steadily and calmly, without those tedious delays which in some countries prevent the infliction of punishment till the impression made on the public mind by the guilt of the accused has been almost effaced by lapse of time. The sources of evidence, too, on which the commission seems to have relied, were trust-worthy. An allegation of political crime, under a despotic government, generally supplies the place of proof; fear and suspicion serve the purposes of conviction: but here there was displayed no disposition to condemn at random; no inclination to exaggerate imputed guilt, no attempt to force an improbable meaning upon actions and words, to combine artificially circumstances which had no connexion with each other, and, in the absence of that precision and particularity, without which there can be no evidence, to



proceed upon vague and tyrannical maxims concerning the motives and tendency of acts. On the contrary, the government manifested a strong determination to avoid the conjuring up of imaginary plots and dangers, and to deal only with what was substantial and certain, and a humane anxiety to lessen rather than to exaggerate, the number of the guilty ; to separate their varying degrees of criminality from each other, and point out every circumstance of moral palliation, the irresolution of the leaders themselves, the weakness of their dupes, even their subsequent repentance and remorse. The report was the candid charge of a judge, not the partial statement of a public accuser. Hence, too, the government was able to give the utmost publicity not merely to the general results of the inquiry, for whose truth and justice their own assertion was to be the only guarantee, but all its details and evidence, from which every man could pass judgment for himself upon the government and its opponents. Nicholas acted as if he wished to convince, not to revenge : and his proceedings thus gained the confidence of the nation, the most essential of all results to the useful prosecution of political crimes. How different was this deliberate and discriminating inquiry, from the despotic and sanguinary measures, the precipitate punishments, the general proscriptions, the unrelenting love of penal vengeance, by which Ferdinand of Spain was making his kingdom recede from the comforts and securities of social life ? The very publicity which the Russian government gave to the inquiry, the discrimination with which it apportioned punishment among the criminals, and the

lenity with which the emperor interfered to soften down the rigour of the law, proved that they were confident in the hold which they had upon such public opinion as existed. Nicholas found himself sufficiently secure to be able to be merciful ; Ferdinand felt his power to be so feeble and tottering, that he could not even afford to be just.

The interests of so many families of rank and respectability were involved in the result of this inquiry, that St. Petersburg, during its continuance, wore no air of gaiety. The Emperor had denied himself every kind of diversion, and public shew : even the birth-day of the empress had not been observed with the customary ceremonies, and the coronation of their majesties had been postponed. But justice and mercy having equally done their duty, the coronation took place at Moscow, on the 3rd of September, with all the pomp which the rites of the Greek church could bestow, and amid all the magnificence which the congregated representatives of all the crowned heads of Europe could display. The most striking occurrence was the unexpected presence of the grand-duke Constantine, who gave a very satisfactory confirmation of the good faith with which he acquiesced in his exclusion from the throne, by repairing voluntarily to Moscow, and bearing a principal share in the ceremony of placing upon the head of his younger brother, the imperial crown, which, by right of birth, ought to have glittered on his own brow. An imperial manifesto immediately followed, by which, in the event of the emperor's death, leaving a minor son, the grand-duke Michael was declared regent till the majority of the heir ; or if the empress should be left



pregnant, till her being delivered of a son, and the expiry of his minority. In the event of the emperor leaving no son, and a posthumous child proving a female, the crown itself devolved upon the grand duke Michael.

In the course of the year, the differences between Russia and Turkey, regarding the occupation of Wallachia and Moldavia, and the rights of the Servians, which had led to so much tedious negotiation at Constantinople, were brought to an amicable conclusion, of which we shall speak more at large, in detailing the public events which occurred in Turkey. But scarcely had the emperor arrived at this termination of a dangerous dispute with one neighbour, and escaped from the splendors of his coronation, when he found himself unexpectedly involved in actual war with another, though less formidable, adversary. When Russia, in 1812 and 1813, was collecting all her resources to oppose the invasion of Napoleon, and disentangling herself from every embarrassment which might hamper her exertions in a contest in which her existence was at stake, she put an end to the war then existing between her and Persia, by the treaty of Gulistan. In that treaty the boundary between the territory of the two countries on the north-west, towards Georgia, had not been marked out with sufficient distinctness, no other line of demarcation having been assumed than the positions occupied by the belligerent armies, not following either any natural limit, like that of the mountains and rivers, or any succession of artificial works such as towns and fortresses. The Khanats of Shirvan, Karabun, and Noucha had been ceded to Russia; but

they were still governed by their ancient Khans, who, acknowledging the emperor Alexander as their sovereign lord, instead of the Schah of Persia, still retained their ancient laws and customs, were separated by their religious belief from their christian superiors and, while paying formal homage to Russia, preserved their attachment to Persia, cemented as it was, by conformity of faith, similarity of language and manners, and ancient recollections. The disputes about the frontier were perpetually renewed. Russia alleged that Persia had taken possession of a tract of country expressly ceded to Russia, in the treaty of Gulistan; while it was certain that Russia, certainly without authority from that treaty, had taken possession of part of the Persian territories on the lake of Goktscha. These differences had long been the subject of negotiation between the two courts, and Russia had, in the meanwhile, continued to occupy the disputed ground. No threat or appearance of hostilities had as yet appeared on either side; Russia had offered to restore the territory in question, upon the district belonging to her and occupied by Persia, being given up in return; or to exchange it for another tract described to be of far less value, and whose dry and arid soil offered no compensation except the vicinity of the lake. At length it was agreed between general Yermoloff, the Russian commander in Georgia, and Abbas Mirza, the prince royal of Persia, that it should be retained by Russia, and that Persia should receive in return a tract of land between the rivers Kapan and Kapanatchy. Nicholas, immediately on his accession, despatched prince Menzikoff as ambassador extraor-



dinary to the Court of Tehran, to announce his accession to the throne, and put the finishing hand to the arrangement regarding the line of demarcation; authorizing him, if it should be necessary for the final settlement of the matter, to give up to Persia, in addition to the district of the Kapan, part of the neighbouring district of Talyschine. Prince Menzikoff, on his arrival on the frontiers, was treated with the highest respect; Abbas Mirza himself received him at Tauris, loaded him with honours, and gave him the most friendly assurances.

But Abbas Mirza, who was heir apparent, having been named by his father to succeed him, and whom, therefore, Russia had bound herself by the terms of the treaty of Gulistan to recognize as successor, had been playing a double part. Whether from uncalculating ambition, national antipathy, or mere precipitate folly, he had been watching a favourable opportunity for recovering from Russia by force part, at least, of the spoils which she had secured to herself at the peace of 1813. He thought that he had now found it; and that the occupation of the disputed territory by Russia would furnish a good pretext for war, while the discontents of the new subjects of Russia would both be useful instruments in prosecuting it, and render it popular at home. The Mahomedans of Georgia were averse to the rule of an infidel; the petty chiefs were dissatisfied with a power which abridged their own prerogatives, and, by its greater strictness in comparison with the supremacy which had been exercised by Persia, compelled them to remember that they were subjects in reality, as well as in name. In some places the violence and

misconduct of the Russian soldiery, and of some of the inferior Russian agents, had produced general discontent among the lower orders of the people.\* All these circumstances, exaggerated and enforced by the Mollahs, the Persian priesthood, had produced a general belief in the country, that Georgia was eager to rise in arms against its northern oppressors, and that now was the time for Persia to drive back the neighbour, before whose advance she had hitherto been compelled to recede. A solemn appeal in defence of the suffering believers in the prophet was made to the people by the Mollahs, and despatched to the provinces, to be read in all the mosques; calling into action religious prejudices which are such powerful motives to popular action every where, and, in the east, rise so easily to fanatical enthusiasm. Abbas Mirza was assisted by the prime minister Alaiar Khan, who was likewise his brother-in-law; and, supported by the public wishes, they easily prevailed over the pacific dispositions of the king, representing to him how much he would gain in the opinion of all true Mahomedans by standing forth as the champion and avenger of their religion, and to what degradation of character he must submit, if he refused to listen to the prayers of his brother-believers groaning under the oppression of an infidel yoke. The king re-

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\* In the Persian camp at Sultania, a Chousk of Karabang made the following speech to the Schah.—“Man, do you call yourself the king of the Mohammedans, and idly pass your time in the Harem, when Mussulmen are daily abused by infidels? I was obliged to look on while five Russian soldiers violated my wife in Karabang. I spit at your beard.”



solved for war, and the troops were ordered to march to the frontier.

These resolutions had been adopted, while prince Menzikov was on his journey to Sultania. On the road he had been passed by Abbas Mirza returning in great haste from Tauris to the camp; and, when he arrived at Sultania, he experienced a striking change from the deference and respect with which he had been received on the frontier. At his first audience, when he presented the emperor's letter to the Schah, the latter, instead of taking it in his own hand, the usual mark of respect to a foreign potentate, and which, in the course of the previous arrangement of the ceremonial of presentation, he had twice positively promised to do, made a sign to the prince to lay it upon a cushion, a mark of contempt and insult to his master.\* War had been already resolved upon, but decency required that a reason should be given. The Persian minister accordingly made a peremptory demand to prince Menzikoff, that Russia should immediately give up possession of the country which she occupied on the lake of Goktcha. Prince Menzikoff answered by referring to the letter of Abbas Mirza to general Yermoloff, in which his royal highness had consented to yield that district in exchange for the tract between the Kapan and Kapana-tchy; but Alaiar Khan replied, that such an exchange had never received the sanction of the Schah, and was totally inadmissible. The Russian envoy, whose instructions had been framed on the supposition of that exchange being a point already fixed by the nego-

tiations, stated that he would immediately apply to his government for further orders; but he was informed that he would be furnished with the means of returning to Teflis, and that, although the negotiations might be resumed in a frontier town, it would only be on the footing of the treaty of Gulistan, that was, upon Russia, as a preliminary, retiring instantly from the disputed territory. On the interposition of the English Chargé d'Affaires, prince Menzikoff agreed to take with him to Teflis a Persian negociator, whose efforts he might second, and who should endeavour to procure from general Yermolov the evacuation of the coast of the Goktcha during the ensuing winter, which could be employed in arranging the points in dispute regarding the frontiers. The Schah assented to this proposal, and named an envoy to proceed to Teflis; but the portion of territory in dispute were not the object or motive of the war party, and such an arrangement did anything but suit their views. The Khan of Talyche, a district subject to Russia, chose this moment to revolt; he put the Russian garrison of Arkevan to the sword, and demanded of Persia, what he instantly received, assistance against the infidel. Abbas Mirza and his adherents took advantage of this occurrence to decide the king for war. The king and the army which had been in the camp at Sultania, marched to the frontier of Georgia, and prince Menzikov set out on his return to Teflis. On his journey he was subjected to manifold species of insult, and bad treatment. His dragoman was put under arrest; the couriers coming to him as well as those sent by him, were stopped, and

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\* Prince Menzikov's Despatches.



the despatches taken from them. At Erivan he was detained for three weeks by orders of the Persian minister, notwithstanding all his remonstrances against this breach of the law of nations ; and he at last made his escape, and reached Teflis in safety, only by causing it to be represented to that minister, that, as his numerous enemies would assuredly make use of the first unsuccessful or even doubtful battle, to destroy his credit, it would be good policy for him to think beforehand of concluding a peace on advantageous terms, and that such a peace was most likely to be obtained by allowing the departure of the Russian ambassador, who would have a personal interest to incline his government to an accommodation.

When these proceedings first became known at Petersburg and Moscow, the emperor Nicholas was disposed to ascribe them to the disobedience of some Persian commander, who had disregarded the intentions of his sovereign ; and he demanded nothing more than the immediate removal and exemplary punishment of the Sirdar of Erivan, whom he considered to be the first aggressor. But when these orders arrived in Georgia, it was no longer possible to execute them, and the affair was decided. Abbas Mirza, having returned from the camp of Sultania, had taken, in person, the command of the Persian forces. He already occupied a part of the province of Karabasch, belonging to Russia, and was exciting rebellion ; his emissaries were encouraging the Mahomedan subjects of Russia in all the frontier provinces to revolt ; and the Persian proclamations announced a religious war. Russia,

therefore, on the 28th September, issued a declaration of war against Persia, in which, after stating the facts, she concluded, that, as the treaty of Gulistan had been broken, she would not lay down her arms, "till she had obtained guarantees for perfect security for the future, and a just indemnity for the past, by a solid and honourable peace."

The folly, the precipitation, the fanaticism of Persia thus hurried her into an unnecessary war, for which she was not at all prepared, and that, too, with a power whose colossal strength, if directed towards schemes of conquest, could have wished for no better pretext to crush her. Even if Russia, by occupying the shore of the Goktcha, had extended her occupation beyond the limits prescribed by treaty, it was not an aggression of yesterday, calling for immediate action to repel it. The encroachment, if such it were, had been, and was at that moment, the subject of negotiation ; that negotiation had already come the length of an arrangement sanctioned by the prince royal ; and if a refusal on the part of Persia to ratify it, rendered it necessary for the Russian envoy, necessarily uninstructed on an occurrence which had never been anticipated, to await the farther orders of his court, it could be no good reason for interrupting negotiation altogether by an unexpected appeal to arms. Persia rushed into war without a sufficient motive ; and, as she brought to it neither adequate resources, nor sufficient preparation, she could not reasonably promise herself that the result would be favourable. The Persian army was trained by British officers ; but when it



marched to attack the Russian frontier, the British chargé d'affaires forbade them to follow it.

The Persian army consisted of between thirty and forty thousand men; and, as the invasion took place in the midst of peace, it found, when it crossed the Araxes, the frontiers of Georgia almost stripped of troops. The Georgian army of Russia was dispersed in its cantonments, and to collect them required time. At first, therefore, success was on the side of the Persians; the Russian posts on the frontiers fell back as the enemy advanced, being too weak to resist them, and, the country being open to them for a time, the Persians issued their manifestos calling on the delivered population to take up arms in the name of Mahomet, and in defence of their religion, a call which was not very generally answered. Their prosperity was of short duration. General Yermolov rapidly concentrated his troops at Teflis, and strengthened the different points which were threatened. In the middle of September, the Persians were first encountered by general Madatov, who attacked a body of them amounting to about ten thousand men under the command of a son of Abbas, and a brother of the Schah. After a severe contest, the Persian cavalry took to flight, and the infantry, being thus left unsupported, were broken by the Russian cavalry, and completely routed. The Persians lost two thousand men in killed and wounded. Amur Khan, the uncle of Abbas Mirza, was killed while endeavouring to rally his troops, and the young prince, son of Abbas, after having been taken prisoner by a Cossack, was rescued by the

devotion of one of his attendants. The Russians now advanced, and took possession, of Elizabethpol without opposition. Abbas Mirza, having been joined by Alaiar Khan, burning to avenge their defeat, advanced against Madatov, who had prepared to meet him by effecting a junction with general Parkæwitch, and a second battle was fought on the 25th September, in the neighbourhood of Elizabethpol. According to the Russian accounts, the Persians, though amounting to no fewer than thirty-five thousand men, with twenty-six pieces of artillery, were, after a short combat, routed with the loss of twelve hundred men, while the killed and wounded in the Russian army did not amount to three hundred men. The Persians retreated across the Araxes in confusion, leaving behind them great part of their baggage, and fell back upon the frontiers of Persia. General Parkæwitch sent detachments across the river to seize the enemy's magazines, clear the frontier, and recover the numerous families of Russian subjects, who had been carried off as plunder. In the course of these operations numerous skirmishes took place, all of which terminated to the advantage of the Russians. In the end of October, they returned to the left bank of the Araxes to go into winter quarters; and, at the same time, Abbas Mirza, who had retreated to Ardebil, retaining a small body of troops round his own person, dismissed the remainder till the spring. From the province of Erivan, the Serdar, and his brother Hassam Khan, made various predatory incursions into the Russian territory, striving to excite the in-



habitants to revolt, and, when they failed in this, subjecting them to pillage, and carrying them off as captives. But on this side, likewise, the Russians were victors. General Dandov, on the 15th of

October, attacked and defeated the Persians near the castle of Mirac, and pursued them to within two days march of Erivan itself, where the Sirdar shut himself up.



## CHAP. XI.

*SPAIN—General State—Change of the Council—Prosecution of the Constitutionals—Plots—Revolt of Bazan—Disturbances occasioned by the Royalist Volunteers—The Clergy—The Finances—Policy towards Portugal—Refusal to acknowledge the Regency of Portugal—Support given to the Portuguese Rebels—Desertion of Spanish Troops—Remonstrances of the Portuguese Envoy—Invasion of Portugal—Defeated Rebels again received in Spain—General Longa suspended from his Command, and a Minister from Portugal received.*

**S**PAIN, until in the latter part of the year she attracted the attention of every European court by her intrigues against the establishment of a representative government in Portugal, had no occurrence in her foreign policy worthy of being commemorated, and exhibited, in her domestic condition, the same inquisitorial system of tyranny, the same endless fears of discontent and danger, the same hopeless prostration of all thought and action before bigotry and despotism, which had formed her history from the restoration of Ferdinand to absolute power. By the surrender of Callao, in Peru, to the revolutionists, she lost the last foot of ground which remained to her in South America; but she still obstinately refused to acknowledge the independence of her revolted colonies, or to enter into commercial connexions with them, which might have been to her some compensation for the loss of their allegiance. She still made empty vaunts of her inalienable supremacy over these distant countries, and still more empty threats of using force to assert it, while the pirates of Algiers, and the privateers of Colombia, were insulting her coasts, and capturing her mer-

chantmen in the very mouth of their harbours. The wretched state of the finances occasioned her failing to pay a stipulated sum of six millions of reals to the Dey of Algiers; and the barbarian immediately sent his corsairs to sea, and paralyzed for a time the whole trade of Catalonia and Valencia. So early as April, Colombian privateers appeared in the Mediterranean, harassed the commerce of Cadiz, and made several prizes; others were cruising with equal success on the north-eastern coasts. Spain was reduced to too low a state to revenge the insults; and even the steam-boat between Cadiz and Gibraltar was forced, for a while, to abandon her voyages. These privateers did not always respect the usages of war; other flags than those of Spain were occasionally exposed to their aggressions.

Too feeble to resent insult from without, Spain was equally deprived of all comfort and respectability within. What with the necessities and jealousies of the government, and the violences of organized banditti, neither life nor liberty nor property were secure for an instant; a social order could



scarcely be said to exist; since every thing which rendered it comfortable and respectable had fled. The finances were ruined, the population was impoverished, commerce scarcely raised its head; the priesthood were jealous, well paid, and absolute; the government was solely occupied with cares of police, extinguishing every latent spark of enlightened thought, and guarding against the possible return of banished revolutionists, or the importation of foreign liberals. Superstitious belief, slavish terrors, and Spanish gravity—a king without either heart or head, a ministry without talent or independence, an inquisition without principle or humanity—a profligate and poor aristocracy—a selfish, dark, and tyrannical, priesthood—a populace whose only energies were reserved for outraging the laws, and converting the country into a den of thieves—a military force setting itself above the restraints of discipline, and, reckoning on the credit of its being indispensable to the court, letting loose its licentiousness on friends and foes—in the maritime, and once commercial cities, great aptitude for revolt—every where else an utter listlessness and indifference to political matters, the mark of a people sunk to the lowest degree of political debasement, and knowing no spring of political conduct except abject fear—these were the elements which now constituted the monarchy of Ferdinand 7th.

A pasquinade, pasted up in the streets of Madrid, in defiance of the vigilance of the police, thus described the state of the country: “Nothing is wanting to thy happiness, my dear country; thou hast monks and locusts—the police; ports without ships, troops without

breeches, a brilliant priesthood, high roads infested by banditti, an exhausted treasury, the country divided into parties of all colours; a king who is not ignorant of it, but who does not dare to do any thing; a paper currency which is worth more than it ought to be: nothing was wanting to thee but a holy year, and the pope has hastened to grant it.”

In the beginning of the year the king changed the constitution of his council and gave it a new name. The Consultative Junta was dissolved, and a new body installed in its place, under the appellation of the Permanent Great Council, which was to deliberate and decide upon all proposed measures, and control the ministers in their various departments. Neither the men nor their system was changed; the duke del Infantado was still at the head of the ministry, and cardinal Inguanzo, now appointed archbishop of Toledo, was the first councillor named. The framers of this council, whether with a view to improve its policy by giving it more stability, or merely to secure the continuance of their own power, prevailed upon the king to sanction as a fundamental principle of its institution, that its members should not be removeable at pleasure—that they should not be dismissed, or exiled from the capital, except for crimes duly proved, and by an express order of the sovereign. This was a scheme to protect themselves against each other's intrigues, and to resist perhaps the influence of those menials of the king, who, without ostensible power, formed in reality his privy council; and yet within a few months, the duke del Infantado himself was under the necessity of resigning. A man gains little by securing the



right to remain in a capital till proved guilty of a crime, when, if he neglects the hint which tells him that his presence is disagreeable, he may be sent for life to the dungeons of the Inquisition without any thing being proved against him at all. The anxiety of the ministers to protect themselves against exile, except in the case of being convicted of something criminal, was a bitter satire upon the value attached to law and liberty in the administration of the Spanish government.

The leading members of the new Council were, the archbishop of Toledo; the bishop of Leon; father Cyrille; the duke del Infantado; the duke de San Carlos; don Louis de Salazar; don Francis Calomarde, as minister of Justice; don Louis Ballasteros, as minister of Finance; the marquis de Zambrano, as minister of War; Castanos, captain-general; the marquis Villa Verde; the marquis de la Reunion; the count du Venadito; don Jose Garcia de la Torre. It was solemnly installed in its functions on the 15th of January. The duke del Infantado, addressing an harangue to his majesty, in which he told him all that he the king had ever wished to do, and all that he would ever intend to do, laid the blame of the present state of things on the incapacity of those who had before possessed the royal confidence, and described the new council as setting in its constitution an example to all monarchies, and forming, by its creation, an epoch in the history of Spain. "We must endeavour," said the minister to the king, "to strengthen what the disaffected seek to weaken, and to reclaim those parts to order which have quitted their bounds. Impressed with these truths, your

majesty has been anxious to re-establish harmony in all the branches of the monarchy, to preserve the laws inviolate, and to cement the bonds of affection and fidelity between yourself and your subjects. The nation, Sire, is convinced of your anxiety, and is grateful for it: and it feels assured that the neglect alone of those to whom your majesty had intrusted the execution of your wishes, has conducted the monarchy to the brink of a precipice. The nation, Sire, desired to see its king surrounded by men possessing his confidence, and charged with proposing the means of rendering the people happy, of attacking and destroying those vices which the course of time had introduced into the government of reforming that government, of watching over its fleets and armies, of maintaining the rights of legitimacy, and, in fine, of bringing on that day which should restore to the people concord and tranquillity. The permanent Council is charged with these important duties; and, in order to accomplish them, it will spare no sacrifices. Yes, Sire, we promise and swear, that we will not rest, so long as the enemies of your sovereignty exist, until we shall have dragged them forth, no matter where they may be hidden, or under what disguise they may seek to conceal themselves."

If it had ever been the wish of Ferdinand "to re-establish harmony in all the branches of the monarchy, and cement the bonds of affection between himself and his subjects," the measures which he was still sedulously pursuing, were certainly admirably calculated to defeat his own purpose, and make the world believe that he sought the safety of his throne only in perpetuating



discord and distrust. The pretended amnesty, clogged with vague exceptions of whole classes so ill defined that a man could scarcely tell whether or not he was included, had destroyed all confidence: no one who had in any way contributed to raise the troops, or took any share in proclaiming the constitution throughout the kingdom, but was in hourly danger of being called to account for by-gone iniquities, in which nearly the whole population had participated. M. Burgos, in a memorial addressed to the king, in the beginning of the year, on the best means of winning back the departed prosperity and tranquillity of the country, said; with much truth and boldness: "The first mean is a full and absolute amnesty, to all, without exceptions; or, if there be exceptions, they must be few, personal, and distinctly named. To fear danger from an amnesty is to tremble at a phantom. Men, whose severity is offended if criminals are not punished, will perhaps maintain that the impunity of certain royalists might encourage excesses, and lead to new convulsions. I entreat your majesty not to yield to this melancholy scruple. Justice is already satisfied with the leaders of the rebellion having died on the scaffold. Three years of proscription and misfortune have sufficiently punished those who took part in the errors and disorders of the late period. Policy authorizes and prescribes exceptions to the ordinary rules of justice, when crowds have been guilty: when punishment is impossible, pardon or oblivion is necessary." This was honest, wise, and humane advice, but it was lost upon Ferdinand and his ministers. Forty thousand

families were said to have already been driven into exile in consequence of their connexion with political events, and they had carried forth with them almost all the capital and enterprise of the country. A number of citizens of Barcelona, who were suspected of having once favoured the constitution, or who had consented to hold offices under its reign, when Ferdinand himself consented to hold his crown under it, were ordered to leave the city within four-and-twenty hours, and betake themselves to particular places of restraint specially assigned to them. Not a moment's delay was allowed them for preparation, and their entreaties to be allowed to quit the kingdom were disregarded. The criminal tribunal of Seville passed sentence of death upon about seventy of the deputies who had voted for the establishment of a regency in 1823, but fortunately only four or five of them were in the hands of that tardy justice which had kept them up for three years, as if afraid lest victims should fail for her periodical festivals of blood. General Capape had long been imprisoned on suspicion of being accessory to an insurrection similar to that of Besieres. At length he was brought to trial before the Supreme Council of war, on the 10th of April. A minority of the court were for finding him guilty, and passing sentence of death; but the majority voted that he ought to be acquitted, and re-instated in his former honours. The king, however, in the face of this judgment of the Court, sentenced him to be banished to the West-Indian island of Porto Rico, and to be confined in St. Sebastian till a vessel should be found to transport him. The



police on the frontiers was every where rendered more strict: by a special ordinance, all persons, whatsoever, entering the kingdom, whether suspected or not, were ordered to be arrested, till their conduct should be examined, and the purpose of their journey ascertained. It was particularly added, "the king's pleasure is, that this measure be extended even to all persons who have returned with lawful permission." At the same time ministerial circulars were issued, rousing the vigilance of the public officers not only to watch all books to be imported, but again to set to work, and examine all books already imported, calling upon the clergy to make use of the pulpit and the confessional to enforce the giving up of prohibited works; and (as if to remove every shadow of social confidence, and hold out premiums for the gratification of lying and malicious informers), to enforce, by these mighty engines of a superstitious creed, "*the duty of informing, with the greatest secrecy*" against persons who shall not give up such books. The confessor was to compel a man, by threats of eternal perdition, to deliver up to the Inquisition a relation or a friend who was guilty of the enormity of possessing a Bible, or a volume of Voltaire. Nothing could better illustrate the fears and jealousies of the government than the instructions given to the police after the promulgation of the constitutional charter in Portugal. By these instructions, the subaltern intendants of police were to make up lists of all persons who came under the descriptions of being attached to the constitutional system, having been national volunteers of infantry or cavalry, members of sacred battalions or com-

panies, reputed free-masons, known for comuneros, considered liberal, exaltados; or moderates, and purchasers of national or secularized property. These lists were likewise to specify, whether any individual had been a member of the Supreme Junta of the government of Madrid, a minister, a member of any tribunal or court of justice, a deputy from any province to the Cortes, or a secretary, a political chief, or employed on any other service, a member or curator of any political society, or a political writer. Any other thing, which might give a correct idea of the true opinions held by such individual during the prevalence of the constitution, was to be added; as well as an explanation of his conduct from the downfall of the constitution, and of the influence which he had possessed, and might have in the government, in consequence of his fortune. When any person, contained in these infamous lists, or any of his children, or servants, applied for a passport to leave the district, the general intendant was immediately to be informed of the fact, and of the suspicions to which the journey might give rise. No passport was to be given to a person "marked as attached to the constitutional system," without satisfying the police that he had good reasons for travelling. His passport, if he received one, was to specify the places through which he was to pass, and at which he was to stop in going or returning; and this specification was to serve as a notice to the authorities in these places "to have an eye upon his conduct." As if false informers could never be too numerous, or be too highly bribed, a reward of a thousand reals was promised to every police officer who should denounce



any meeting of persons whose names were in the lists; and if the meeting consisted of more than six persons, and the house was what was termed a suspected one, his reward was to be two thousand reals, and promotion, "*even though the object of the meeting should not be ascertained.*"

But these, and similar measures, tyrannical as they were, could not enable the government to sleep soundly; they were in constant dread of insurrection, and public functionaries seemed to vie with each other in proving their loyalty by inventing or detecting plots. One object of terror was, the king's own brother, Don Carlos. A general rising in his favour all over the kingdom was daily dreaded; and the wonderful thing was, that the dislike of his adherents to the sway of Ferdinand was founded on their having discovered that the government of the latter was too liberal and moderate. Several ecclesiastics were removed from Madrid in consequence of being suspected of Carlism, and rigorous inquisitions were instituted even into families to discover these disloyal and ultra-royal inclinations. The appetite of the priesthood for revenge and power must have been, indeed, insatiable, when even the executions and proscriptions, and ordinances, of Ferdinand were insufficient to glut it. Proclamations in favour of Don Carlos were circulated throughout the kingdom; and in the province of La Mancha; circulars were addressed to the commanders of the royalist volunteers, setting forth his pretensions, and calling on them to proclaim him. The numerous bands of robbers that infested the country were suspected to be in reality under the direction of his adhe-

rents; some of them allowed travellers to pass unspoiled of any thing but their horses; the men of Corona, a bandit who kept Andalusia in alarm, sometimes used as their watch-word, "Don Carlos and the Inquisition;" and government offered a pardon to any member of his band who would deliver up this rebel, or point out the place of his retreat. Every new suspicion led to new acts of severity, and vexatious police regulations. The governor of Almeida, on the authority of an anonymous letter, prohibited the inhabitants from being out of doors after ten o'clock at night without a lanthorn, and forbade more than three persons to meet in public or private, by night or day. In its own troops the government reposed little confidence, for it could not pay them; and anxious precautions were taken to prevent them from forming any lasting connection with the population. The captains-general of the provinces reported regularly to the government all the movements and marches made by the men under their command: they were told in their instructions, that they must "avoid too great a dissemination, which is always insufficient, compared with the extent of the country, and often useless; but when this dissemination is indispensable, it is essentially requisite to change the regiments with each other, in order that this kind of service may not injure discipline, and cause the corruption of the soldier." The king having gone to visit the barracks of a regiment of provincial militia quartered at Aranjuez, arrived while the men were at dinner. "You dine late," said the king.—"Yes Sire," answered a soldier; "we dine late, and we dine on credit, too."



The only revolt which actually broke out was a mad attempt made in Valencia by general Bazan. He was an officer of some merit, and had formerly been political chief of Valencia. He landed on the 19th of February, at Guardamar, a small sea-port a few leagues from Alicant, with about a hundred men who had joined him in his enterprise. He pillaged the town and the church; and, on the approach of a body of royalist volunteers, who had already placed themselves between him and the sea, he retired towards the mountains. The royal troops, however, came up with him and his party, and, after a desperate combat, in which he received four wounds, he himself, with his brother, and the greater part of his companions fell into the hands of the enemy. Some of them were immediately shot at Orihuela, and others hanged at Murcia. Bazan himself was spared for a few days, ostensibly because he was at the point of death, in consequence of his wounds, but more probably in the hope of extorting information from him; for he was at last shot, on the 4th of March, in a litter, which his wounds, then in a state of mortification, prevented him from leaving. His plan, according to papers said to have been seized upon him and his comrades, was, to appoint a regency for the government of the kingdom, erect a supreme revolutionary tribunal in the capital, with subaltern tribunals in the provinces for the punishment of the royalists, and confiscate the property of the nobility and of the church. Lists of proscription, too, were said to have been already drawn up.

The military force employed on this occasion to crush revolt, be-

longed to a body, the royalist volunteers, which was indeed almost the only body of troops in whom the king could repose much confidence, but who were frequently the cause of much public disturbance themselves, and the perpetrators of lawless acts of insult, and oppression, and riot; and they aggravated their excesses by assuming a sort of privilege to commit them, because they imagined, and not without some reason, that the government was too weak either to dispense with their services, or to punish their crimes. They were the chosen support of the most extravagant of the Apostolical party; and all that was required of them was devotion to its plans. In the provinces they were formed and recruited, and the funds for their pay were sometimes raised by the influence, or even from the coffers, of the priesthood. After they had once felt their own importance, discipline lost its power to restrain; they raised commotions when they thought proper, and scorned the attempts of their officers to restore order. They were irregularly paid, they had arms in their hands, they were principally men of abandoned character, and no strangers to crime; and the consequence of this was, that they acknowledged scarcely any law but their own will. Three officers belonging to this corps had been convicted at Cordova of violent outrages committed against persons whom they chose to call liberals, and whom they consequently held, in conformity with the practice of Ferdinand's government, to be out of the pale of the law. These officers, who were not even in custody, proceeded forthwith to the court which had tried them, and



insisted that the proceedings against them should be burned: on the refusal of the judges, they and their soldiers immediately raised a riot, and the civil authorities were under the necessity of demanding military assistance from the captain-general of Seville, to enable them to maintain the public peace against the loyal defenders of "good order." In the beginning of April some tumultuary assemblages of the populace took place in the capital, in consequence of their discontent at the increase of the duties on meat, wine, and other provisions, an increase which had partly been occasioned by the necessity of providing for these very men; and the troops were kept under arms. While some royalist volunteers were coming out of a house, a petard exploded near them in the street. They said that a pistol had been fired, and aimed at them. In a moment a hundred and twenty volunteers assembled with arms in their hands, threatening to enter the houses of the Negroes (so the constitutionalists are termed), and take vengeance for the outrage. A piquet of Lancers, who had barracks in that quarter, attempted to disperse the mutineers, but they, as well as a second more considerable detachment, were repulsed. The colonel of the volunteers, M. Vilamis, endeavoured to appease them, but, though popular among them, he was unsuccessful. He at length ordered the Lancers to charge them. At this juncture, the captain-general of the province, and the governor of the fortress, made their appearance, and, by their persuasions, the volunteers at length dispersed, and tranquility was restored. On the 21st of May, a royalist volunteer assassinated a

citizen of Madrid on the public street, for no other reason than that he was a *negro*. He was arrested with the bloody sabre in his hand, and judicial proceedings were instituted against him. But he addressed a petition to the king pretending that he had had a quarrel, with the unarmed man, before stabbing him: the petition was supported by Carvajal, the inspector of the volunteers, and Calomarde, the minister of justice; and the authorities who conducted the prosecution, announced that his majesty had been pleased to pardon the volunteer. One of the municipal magistrates had the honest boldness to make a direct application to the king against this atrocious outrage on justice and decency; stating that the court could not bring itself to believe that it was the royal will that assassins should be pardoned, contrary to existing laws; but the murderer, to the disgrace of this contemptible government, the slave of its own hired servants, continued to walk the streets of Madrid in perfect security.

The clergy, the directors of these exemplary troops, even ventured to employ them in more extensive, and organized combinations, to make the government feel the power which they could wield, and urge it to the adoption of any measure against which any solitary ray of sound reason still glimmering in the cabinet might have made it revolt. As if the ministry had not manifested sufficient resolution in resisting the establishment of the Portuguese constitution, the apostolics worked on their fears by rousing the royalist volunteers. At Murcia, on the 13th of September, the volunteers, in furtherance of a plot of which the



bishops of Murcia and Orihuela, with their chapters, were the prime movers, assembled in the great square of the town with their leaders at their head. They then divided into small parties, and marched through the streets, committing all sorts of outrages against persons suspected of liberal opinions, whom they chanced to meet. They entered moreover the houses of a great number of liberals, whom they abused, wounded, killed, and pillaged. After having employed several hours in these exploits, they again assembled in the square, and with shouts of "Death to the Liberals; the King without Chambers for ever," marched towards Orihuela, to join the volunteers of that town, and of the country between Orihuela and Murcia. The civil authorities were in the plot, and accompanied the volunteers to Orihuela; but when they were departed from Murcia, the intendants of finance and police assembling the servants of government in the town, and some of the respectable inhabitants, succeeded in arming four hundred men, by whose means they re-established some degree of tranquillity. A similar scene was performing at the same time in the north, at Roa, a city of Old Castile. There, while the commander of the volunteers was endeavouring in vain to restrain his mutinous soldiers, by haranguing them in the marketplace, he received a blow on the head with a club, and fell dead on the spot. An officer who stood by him, wished to lay hold of the murderer, and remonstrated with the men upon their guilty conduct; but he was immediately stabbed in the belly with a poinard, the point of which protruded through his loins. The tumult now became so great,

that the authorities were glad to drag away the wounded man, and flee with him. They sought refuge in the town of San Martin, about a league from Roa, and there they demanded assistance. Thirty soldiers accompanied the authorities of the city and town to Roa, to restore order there. They reached the square where the insurrectionists had assembled; and the alcade of San Martin mounted some steps and proceeded to harangue them. He reproached them for their disloyalty and disobedience to the best of kings; but they would not even allow him to finish his speech. He was stopped by insulting cries against the person of the monarch; and the mutineers declared that neither the people nor the soldiery would submit to any authority that came in his name. There was no longer any means of resistance; and the inhabitants of San Martin, with the volunteers of that town, were forced again to seek safety in flight. Such was the authority of Ferdinand with his own army, such was the humility of the apostolic priesthood, and such were the troops to whom was intrusted in Spain, the maintenance of public order.

Nor, in fixing their empire over opinion, did the clergy neglect those means of influence which flow from wealth. Under the constitutional government, all the estates of the monasteries and convents had been sold, or declared, at least, to be national property, to be appropriated to the payment of the public debt. Persons who held property under them at a quit-rent, had been allowed to redeem it, and become absolute proprietors, on making payment to the govern-



ment of a capital equal to that rent, estimated at a fixed number of years. Ferdinand now declared all these redemptions null; and not only re-instated the religious orders in their property, but condemned the tenants to pay to them the rents which had become due since the date of the redemption. Within two years and a half the Jesuits received upwards of three millions of reals from the public purse, on account, it was said, of what was due to them by the state, while every other creditor remained unsatisfied, and even the troops and public servants were irregularly paid, or not paid at all. Both in the capital and in the provinces several estates and houses were restored to them. In Madrid and its neighbourhood, they fitted up for their principal abode, a vast hotel, and vested their capital in purchasing farms and houses; they were founding colleges for the education of the nobility. Their houses of noviciate and convents, of which Madrid alone contained two hundred, were full; they had regained their situations and influence as chaplains or confessors in the families of the *grandees*; and they were intrusted with the education of the eldest son of the infant Don Carlos, the presumptive heir to the crown. Even the will of their master the Pope was questioned, if it seemed to stand in the way of their own humour, or the gratifications of their own vindictive passions. His holiness had issued a bull, addressed to the archbishops and bishops of the Peninsula, recommending union and charity, but the clergy had sufficient influence to prevent the council of Castile from publishing it for several months; and the Pope was under

the necessity of censuring its suppression, and attempting to enforce its principles by a second. If even the authority of the church was thus despised, when employed to restrain the violence of its own sons, that of the state was still less respected. An order having been issued by the government to the bishops to restore to their parishes some curés who had been suspended on account of unfounded political charges, the bishops condescended to tender obedience to the decree, provided only that the curés would enter into an ecclesiastical engagement, almost amounting to an act of rebellion—namely, that they would recognize the Pope as Christ's vicar on earth, and would resist all civil interference whatever in the affairs of the church.

While the fortunes of the clergy flourished, the fortunes of the public were ruined. M. Zea Bermudez had been unable to retain his office for four and twenty hours after proposing an impost which would affect equally ecclesiastical and lay property. The receipts of the Treasury did not amount to half the unavoidable expenses; new taxes excited public discontent, and little remained in the country from which additional taxes could be paid. Twelve regiments of militia were disbanded, because the government, though ill able, and much disinclined, to dispense with their services, was still less able to pay them; and, politically, they would not be so dangerous in the form of armed robbers, as in that of murmuring soldiers with just and disregarded claims. Borrowing was out of the reach of Ferdinand; no sensible man would have trusted him with



a pound ; his conduct in regard to the bonds of the Cortes had made him bankrupt all over Europe, not only in fortune, but in good faith. He was a large debtor to the governments both of England and France ; but, excepting a payment of 700,000 francs, which he contrived to make to France, neither of them could obtain any thing but a statement of the account, and a recognition of their claims, and even that only after he had thrown every possible difficulty in the way.

It was impossible that a government so despotic, so weak, so jealous, could look without apprehensions at the establishment of the constitutional system in Portugal. That system was not a direct attack upon her own institutions ; but its success would not, on that account, be ultimately less fatal to their stability. A free government could not continue to exist in their immediate neighbourhood, without powerfully affecting the public feeling, and enlightening the public mind in Spain : the spectacle of public tranquillity preserved, and religion, with its ministers and ceremonies, duly honoured and celebrated, under the auspices of a representative constitution, would have been to the subjects of Ferdinand a satisfactory refutation of his political creed, that every amelioration of despotism was identified with blasphemy and infidelity, with crime and confusion. The manifest and unblushing object of the priesthood was, not merely to establish absolute power, but much more to vest that absolute power exclusively in their own body. With the attainment of such an object, the existence of

a representative assembly was altogether incompatible. Power, when in the hands of a weak and bigotted monarch like Ferdinand, was in their own hands ; his fears, his superstition, and his stupidity, rendered him their tool ; but it would be a hopeless task to attempt to rule, by the same means, a body of elected deputies, rendered doubly formidable by being conjoined in a legitimate union, and invested with regular and constitutional authority. They remembered moreover, and remembered with bitterness, the indiscriminating and unjust fury with which their order had been pursued, and their property confiscated, during the temporary domination of the Cortes of Spain ; and they saw the constitutional charter of Portugal itself, although the work of a Catholic monarch, anxiously excluding priests and monks from the exercise of the elective franchise. The objects which Ferdinand and the apostolics had in view in resisting the establishment of liberty in Portugal, were in themselves bad and unworthy objects ; but being once entertained, it is impossible to say that the cabinet and the camarilla were not acting in a manner calculated to attain them, when they employed all their engines of intrigue against the Portuguese charter. With such ideas in their head, the destruction of its representative government, either by foreign force or domestic rebellion, was a consummation devoutly to be wished ; they would gain much, if they could even excite public disturbances, though soon crushed ; for it was easy to lay the blame of such irregularities on the new system, and to represent internal commotion as the



unavoidable consequence of mixing up with the pure mass of despotism any portion of the leaven of liberalism.

Ferdinand and his clergy, therefore, were equally opposed to the establishment of the Portuguese constitution, and, as a necessary consequence, to the recognition of the regency which acted under the same power that had granted it. The clergy, however, were more inclined to hurry at once into desperate measures, and proclaim open hostility; the cabinet, well knowing that Spain, without foreign assistance, was in no condition to undertake a war, and probably, likewise, feeling that their mere dislike of liberty would scarcely justify in the eyes of Europe a declaration of war against an unoffending neighbour, because it obeyed the mandate of its sovereign, were more willing to try the effects of concealed intrigue, and to endeavour to make the other continental courts parties to their machinations. They resolved, therefore, to encourage every symptom of discontent which might show itself in Portugal, and to gratify the more extravagant apostolics by appointing M. D. Anduaga, a violent adherent of that party, to succeed M. Casa Flores as ambassador at Lisbon, to organize rebellion, and collect coadjutors in the capital. The foreign ministers had sufficient influence, however, to prevent this step from being taken. They represented to the government, how impolitic a mission avowedly of such a character would be in the existing state of things in Portugal; that the constitution of that country had come from a legitimate source, as the voluntary gift of the legitimate sovereign,

and was in no respect contrary to the principles supported by the European governments. The journey of Anduaga was, therefore, in the mean time deferred; and recourse was then had to the courts of France, Austria, and Russia, to prevent them from acknowledging the Portuguese constitution, and induce them to support her in endeavouring to crush it. But Ferdinand's remonstrances were ineffectual; it was not a quarrel in which the other kings of Europe had any interest, or in which Spain had any justice on her side: they stood in the same amicable relations with the infanta regent in which they had stood with king John. They might be called on to interfere if the ruling party in Portugal, in the pride of new-born liberty, should attempt to act upon Spain by any other influence than the inevitable influence of example; but so long as Spain herself was not disturbed by Portugal, they could see no reason for standing by the side of Spain in an attack on Portugal, an attack, moreover, in which they knew that they would find England in arms by the side of the latter. Their determinations might have been different, if they had only had to deal with the House of Braganza; but they could not conceal from themselves, that the true and serious question was not, whether they would be parties to a war against Portugal, but whether they would be parties in a war with Great Britain?

The spirit of discontent in Portugal had begun to show itself on the promulgation of the constitution at Lisbon, in the middle of July. Frequent desertions took place from the troops on the frontiers, produced by the influence of



a few generals of little note, and some noblemen of extensive property. The deserters uniformly took refuge in Spain, carrying with them their arms and ammunition; at different points within the Spanish frontier, were established regular dépôts, where they might be concentrated and organized, under the rebel commanders. These were the bands whom Spain determined to employ in invading Portugal; they were a species of force, which, if sufficiently strong in numbers, would be doubly efficient for her purpose by the example which they set, and the disaffection which their appearance in arms in the kingdom could not fail to excite among their friends and dependents; she flattered herself with being able to conceal, or to explain away, the aid which she might afford them; and that she thus might conquer Portugal without incurring the odium of attacking an unoffending ally, or exposing herself to certain destruction by attacking her single-handed. If the captains-general of the frontier provinces allowed the refugees to assemble in arms, or provided them with arms, for the attack of Portugal, Ferdinand could pretend that it was done on their own responsibility, and contrary to his wishes; if money was conveyed to them, he could represent it as being no aid from the public treasury, but the pious collections and offerings of the holy servants of the altar; if they took solemn oaths, amid pompous ceremonies, on the Spanish territory, to maintain the title of Don Miguel to the throne, and the claims of the queen-mother to the regency, he could answer, that the Portuguese best knew the rules of succession to their

own crown. He could at all times, moreover, be lavish of regrets, and assurances, and promises; and he might hope that the mask might thus be safely worn, till the triumph of the Portuguese rebels should have enabled him to throw it off, and come forth as the acknowledged champion of the true public opinion of Portugal.

A system of policy like this required much wiser and cooler heads than were to be found in the cabinet of Ferdinand, and a ministry much more faithless, and capable of being hood-winked, than that which conducted the policy of England; and, unfortunately for the whole scheme, while it threatened, as its issue, to bring down upon Spain the whole vengeance of England, it necessarily set out from acts which would have justified an immediate declaration of war on the part of Portugal. Its very foundation was a refusal to recognize the existing government of Portugal, as a regular and legitimate government, or to acknowledge the title of the young queen, or the title of the regency appointed by Don Pedro to exercise the powers of sovereignty. To persist in this refusal was a measure which could neither be concealed nor explained; it was treating the Portuguese government as an illegal usurpation, and, if Portugal had been quarrelsome, would very speedily have led to open hostilities. If Spain, again, acknowledged the government, she acknowledged its right to insist upon the faithful execution of existing treaties between the two countries; but to execute these treaties was to counteract all the machinations which Spain was devising. By these



treaties, Spain was bound at least to disarm all deserters, to send them into the interior, to preserve the peace of the frontiers, and deliver up their arms to Portugal from whom they had been stolen. But if the legality of the Portuguese government were recognized, a refusal on the part of Spain to fulfil these conditions would be equivalent to a declaration of war. She might pretend not to see the positive assistance rendered to the rebels by her authorities; but she could not refuse, at least, to order their dispersion, and the restoring of their arms: for the execution of these orders she was responsible; if she was too feeble to command obedience from her own servants, it was full time that other powers should take the authority into their own hands. If such orders were obeyed, her policy was at an end; if they were not obeyed, peace was at an end, for their non-fulfilment was an infraction of solemn treaties. She wished equally to avoid war, and to save her policy against Portugal; but, as she managed them, these objects were incompatible, and she ended with adding to the disgrace of disappointed cunning, the humiliation of unsuccessful war. In fact, Ferdinand seems never to have suspected, till the truth burst upon him at the same moment that it overwhelmed him, that Britain would take the decisive part which she soon adopted; that she would do any thing more than remonstrate, or, at the worst, threaten, or would require any thicker veil to be thrown over his policy than would just enable her to say with decency, that she had been mistaken in its character.

The military operations carried on by the bands of rebels whom

Spain thus received, encouraged, armed, organized, and sent back to the invasion of Portugal—accompanied on some occasions by bodies of Spanish troops—belong more properly to the history of the latter country: at present we have only to trace the progress of the policy which Spain had thus adopted. The complaints of Portugal on the refusal to recognize her government, and to execute existing treaties by disarming and dispersing the rebel refugees, were unceasing and unanswerable. M. Gomez, the ambassador of Portugal at Madrid, having declared himself against the constitution, and declined taking the oath required by the charter, there was no accredited minister of that power to urge her remonstrances, till the arrival of his successor, count Villa Real, in the month of September. All the pressing applications of that minister, joined to those of the ambassador of England, were unable to procure an acknowledgment of the new government; and a change which had taken place in the cabinet seemed to hold out more unfavourable prospects than ever. The council of the king had not been unanimous in approving of the course on which Spain had entered; some of the members had been in favour of a more plausible neutrality by disarming the rebels in terms of the treaties, and allowing events to take their own course: they could not see the prudence of giving Portugal a motive and a justification for adopting dangerous measures in her turn, and embodying on the frontiers the multitudes of Spanish refugees whom the proscriptions of the last three years had forced into exile; and still less could they discern the policy of strengthening the Portu-



guese constitution by compelling England to interfere in its defence. The ultra-royalists, with Calomarde, the minister of justice, at their head, undervalued the danger, and silenced every whisper of prudence by portraying the horrible consequences of liberal institutions to the Crown and religion of Spain. The duke del' Infantado would seem to have been inclined to the more moderate and the safer course, but found himself unable to resist the united influence of the personal inclinations of the king, and the secret influence of the Apostolics, to whose burning zeal, moderation seemed treachery and indifference. He resigned the ministry of Foreign Affairs in the month of August, and was succeeded in his office by don Manuel Gonzalez Salmon.

The Portuguese ambassador directed his applications more particularly to obtain the disarming and dispersing of the rebels, whose numbers had now increased to an alarming extent, in all the frontier provinces, but especially in Galicia, Valladolid, and Estremadura. The captains-general of these provinces not only opposed no obstacle to their proceedings, but treated them as if both parties had been allies armed in the same cause; supplied them with military stores, and refused nothing that could complete their military organization. The determinations of the Spanish cabinet were more fixed than ever, because some recent events seemed to realize all its apprehensions of destruction from the vicinity of so dangerous a neighbour as a free constitution. The promulgation of the Portuguese charter had excited much interest at Madrid, though every expression of satisfaction was prevented by the police; and desertion, still more alarming

than those from Portugal, now took place among the troops of Spain. These desertions occurred principally in Galicia and Estremadura, but were more formidable from the disposition which led to them, than from their extent. It may be well doubted whether they proceeded, in point of fact, from any thing connected with politics. The men no doubt belonged to those troops of the line who had formerly set up the constitution; they were said to have arranged their desertions upon a regular plan, and to have announced to the governors of the Portuguese provinces in which they took refuge, their purpose of aiding Portugal to bring the Spanish government to the adoption of a system of greater moderation; but these latter circumstances were of very doubtful truth; only two officers had joined in the desertion, and no name was even mentioned of sufficient weight to head a plot. The Apostolics, to whom even a public suspicion of political discontent existing in the army was an object of alarm, ascribed the desertions to the jealousy excited in the army at large by the gay trappings and regular payment of the Royal-guards. Probably both reasons operated: an ill-paid, ill-clothed, and ill-fed, soldiery, might expect better treatment in the ranks of their neighbours, and in the political quarrel between Portugal and Spain, they would not doubt but that their services would be thankfully received. But, whatever might be the cause of the desertion, Portugal kept faith most honourably with Spain, and, on her part, at least, honestly fulfilled the obligations in which she was bound by treaty. Spain had been doing every thing to provoke her,



and had allowed her refugees, during nearly two months, to assemble under her protection for purposes of invasion; and Portugal would have been perfectly justified in the eyes of all Europe, if she had embodied these deserters, and sent them into Spain, to teach Ferdinand what he had been doing against Portugal. But Portugal, under the restraining advice of Britain, took a nobler course. The moment the regency was informed of the desertions, it disarmed them, and sent them into the interior. The decree of the Spanish government disbanding the regiments to which they had belonged, and holding out to them a conditional pardon if they returned to their duty, was published in the Lisbon Gazette; while the Spanish government refused to allow a similar proclamation of the princess regent to be printed either in the Madrid Gazette, or in the provincial newspapers, lest it should entice stragglers from the rebel standard. The incendiary proclamations, which were profusely circulated within the Portuguese frontier, and reached even to Lisbon, were openly printed, without any impediment, in Badajoz and Ciudad Rodrigo. The Portuguese governor of Elvas complained of the abuse to the commandant of Badajoz, and threatened to retaliate, if it was not put an end to. In such a war of retaliation Spain was sure to be a loser; and yet she seemed determined to provoke it, for no one officer or public authority was censured for whatever he might do or permit in favour of the rebels, and against the constitution. The Spanish people were amused, and the Spanish government pretended to be alarmed, by tales of exiled

Revolutionists, and Liberals from almost every state in Europe, being about to enter the field against Spain, with the countenance and protection of England. There was no truth in these inventions; but, if she dreaded such a danger—and well might she dread it—it was madness to persist in a line of conduct which, if it did not render it inevitable, gave Portugal, beyond all doubt, a full right to produce it. Spain could have had no reason to complain, if Mina had entered her territory at the head of his brother exiles from the frontiers of Portugal, so long as Chaves and Montealegre were invading Portugal from Galicia and Salamanca.

In the mean time viscount Cavallas, himself a refugee, and one of the prime leaders in all the plots of the rebels, had taken up his abode for a time in Madrid, where he resided in full communication with the ministry, supporting the interests and arranging the plans of his party. The presence of a declared rebel to his native sovereign was at best a gratuitous insult to Portugal; and her minister demanded that he should be ordered to leave Madrid. M. Salmon did not hesitate to give assurances that Cavallas would be ordered to leave Madrid, within three days, and Spain within a month; but M. Salmon had not the most distant intention that his assurances should be fulfilled, or if he had, there were stronger influences which counteracted his. At the same time, in the beginning of October, Portugal was invaded by the rebels almost simultaneously in the provinces of Tras os Montes and Algarves; the Spanish minister having promised, on the 3rd of October, that measures would be taken to prevent any further



disturbances from the armed refugees. Their success was brief; they were speedily driven back across the frontier; but while they remained in possession of some small towns, they were publicly congratulated by the Spanish authorities of the neighbourhood, without any expression of disapprobation on the part of the government. This new outrage almost exceeded the bounds of forbearance; and especially as the rebels, after being repulsed into Spain, were received with the same encouragement as before, supplied with the munitions of war, and again prepared for a similar enterprise. The government could no longer pretend ignorance of armies being formed within its territory, and formed for purposes of invasion; it could not but see that these armies had been formed, and these invasions made, under the eyes, and with the connivance, of its own authorities, who had the power, and ought to have had orders, to prevent them: yet not only did it adhere to the same policy, which obstinacy might account for, but, by repeating its assurances that all this had been done without its knowledge, and contrary to its orders, seemed actually to imagine, that, while adhering to that policy, it could still by possibility be believed. The pretext, under which Spain now refused to recognize the Portuguese regency, was her want of information as to the sentiments of Austria and France upon the subject. Of the inclinations of both these powers it was mere trifling to doubt for a moment. Both of them had accredited ministers at Lisbon; and at Vienna, the Infant don Miguel, whom rebels and Spain had set up as entitled to the crown, had taken

the oath to the new constitution, and been solemnly betrothed to the young queen, in obedience to the will of his brother. This last aggression, too, against Portugal, had so completely unveiled the designs of Spain, and the active share which she had borne in hostilities, which but for her assistance could never have been committed, that forbearance could no longer be expected from Portugal, or her allies. "Is it consistent," said count Villa Real, in a note to M. Salmon in the end of October, "is it consistent with the interests of the Peninsula, and of Europe, that Portugal should be kept in alarm on account of what may befall her from without?—that the attention of its government should be withdrawn from the objects of its internal administration; and that it should be impeded in its progress by the encouragement which the passions, inseparable from changes such as this country has recently undergone, will naturally find in the attitude of Spain? If Portugal has hitherto been able to abstain from taking measures which the duty of her preservation would appear to dictate to her, she has done so only in the confidence which she has placed in the support of her allies. In thus proving her moderation, Portugal has acquired the right of addressing herself to them, without fearing that her appeal will be made in vain."

To these and similar remonstrances, Spain replied by palpable evasions and lying assurances. If she intended with good faith to prevent violence against the frontiers, for what reason could she refuse to recognize its government? So long as it was known that she regarded it as an usurpation, it was impossible to hope that her own functionaries



would treat its rights with much respect, or that its own rebellious subjects should not draw encouragement from the fact that the work of insurrection was the work of Spain. But Spain, with an infatuation for which it would be difficult to account, were it necessary to account for any measure of a government in which brutal, uncalculating bigotry occupies the place of foresight, prudence, and honesty, was determined to persist in her career, till she should put it most thoroughly out of the power of any sensible man in Europe to say a single word in her behalf. Even now she might have retraced her steps without much humiliation; she would only have been the last to acknowledge a government, whose principles she thought dangerous to herself, and her hatred to whose institutions she did not think it necessary to conceal; the inroads made upon Portugal in October might have afforded her as favorable an opportunity as she could now expect, to come off without open disgrace, as if that unblushing and regular invasion had for the first time forced upon her the unwilling belief that her good-nature had been abused.— She might still have yielded without appearing to yield to force; England had not yet laid her hand upon the sword; France had not yet treated her with contempt; Russia had not yet read to her a lecture of grave disapprobation; the semblance of good faith now would have covered all the faults and follies of the past. But Spain, besides being deprived of the exercise of sound reason, seemed to have lost every feeling of national pride and regard for national character, and to reckon it nothing that she failed in her object, unless she could contrive

to add to that failure as many circumstances as possible of contempt and disgrace. During the whole of November, amid her re-iterated assurances that nothing further needed to be dreaded from the refugees of Portugal, a new, and far more serious, invasion of that country was actually preparing. To the rebels themselves were now added Spanish lancers and guerillas; Spanish arms were distributed among the ranks, and sent across the frontier to be distributed among the peasantry; and a park of artillery was ready at Badajoz to accompany the division which was to enter the province of Alentejo. Longa and St. Juan, the captains general of Valladolid and Estremadura, who again and again had been pointed out to the government by name, as the deliberate and obstinate violators of neutrality, and who, probably for that very reason, had been studiously continued in their commands, allowed and encouraged all this bustle of preparation under their own eyes, where the lowest whisper of discontent could not have escaped the snares and spies of the police. On the 23rd of November the rebels entered Portugal, penetrated from the north across the Douro, as far as Viseu, threw Oporto into consternation, pillaged town and country, proclaimed Don Miguel king, established juntas of regency in his name, and, for six weeks, kept the fate of Portugal turning almost upon a point. The whole of this was the work of Spain; she seemed about to derive from her obstinacy and deceit the advantage of a momentary triumph; and, but for one cabinet, she might have been successful. So soon as the invasion was known, the Spanish minister at Lisbon was



suspended from his functions; at Madrid, the Portuguese envoy instantly demanded his passports, and departed; the British minister, hastened off the intelligence to England, and absented himself from court. England had patiently watched the progress of Spain, anxious not to interfere till the conduct of that power should justify interference to all the world. Her advice and authority had often restrained Portugal, when provocation might have led Portugal to measures of justifiable retaliation. But, if Portugal had thus done violence to her sense of insult for a while, in order that her ally might stand before Europe on immovable ground, so much the more was that ally now bound to act in her defence with promptitude and vigour. Within five days after the intelligence of the invasion reached London, in the beginning of December, the troops of Britain were on their march to the assistance of her oldest friend, and, before the end of the month, they were again landed on the scene of their earlier glories.

This energy and rapidity of decision came upon Spain like a thunder-bolt: like her own Sancho, when the imperious physician of Barataria snatched the favourite viands from his lips, she stood staring in stupid amazement. On an actual war with Britain she had never counted: for any thing else she might have been prepared. The recal of the French ambassador who had encouraged her in her policy, in opposition to the sentiments of his government; the departure of the Swiss guards of France from Madrid which immediately followed; and the disapprobation which the autocrat of Russia now formally bestowed upon her

conduct—were all, more or less, expressions of censure, but none of them presented any impediment to Ferdinand prosecuting his own schemes, in his own way, and with his own means: they gave him no aid, but they opposed to him no positive resistance. A British army, however, was an obstacle of a very different kind; Portugal was now beyond the reach of attack; the very rumour of the arrival of the British troops had struck dismay into the rebels, and blasted all their hopes; retreat and defeat followed fast upon each other, and within a few days they were swept, with their Spanish allies, from every corner of the kingdom, seeking mercy in submission. Spain might arm the fugitives again if she dared, but they themselves would never choose again to cross the frontiers with arms in their hands. Like a recreant bully, Ferdinand found it necessary to disavow his pretensions, when he had most surely reckoned on making them good. He consented to receive a minister from the Portuguese regency, a virtual recognition of the government, on his own minister at Lisbon being reinstated in his diplomatic functions. General Longa, and the governor of Ciudad Rodrigo, who had again permitted a few miserable fugitives, from the last defeat of the rebels, to re-enter Portugal, probably because new instructions had not yet reached them, were suspended from their commands, and ordered to be tried by a military tribunal. Instead of all the points, at which it was known that the rebels were to leave Spain, being stripped of troops, the garrisons on the frontiers were increased, and supported, by an army of eight thousand men, along the



line of the Tagus, to guard the Spanish territory from violation by either party, and prevent the importation of the constitutional contagion—measures, the honest adoption of which, two months sooner, would have saved Spain from all the contumely to which she was now exposed. The captains-general of the provinces, and the inspector of the royalist volunteers, were now informed by the minister of war, that “his Majesty has the most lively desire to maintain the relations of amity which unite him with his august allies, and insure their inviolability by means calculated to secure reciprocal confidence; that of all these means, none is more indispensable than that of observing neutrality, by abstaining from interfering by any hostile acts or co-operation against Portugal, so as not to compromise himself either with that country or with its ally, England; that to suffer any hostile force to remain assembled in arms, on the Spanish territory, would be acting in a manner contrary to these principles, and, consequently, hazarding the dignity, and the con-

stant and proverbial good faith of the noble and elevated Spanish character.” Not a word of all this was liable to any doubt; and every syllable of it had been pressed upon the Spanish government for months, with exemplary forbearance; but it was extremely doubtful how far these sentiments proceeded from sincere conviction, or would be acted on longer than the necessity continued. The ministers who had so misguided Spain still retained their places, and their influence; except that M. Calomarde suffered a temporary disgrace, for having, by some piece of bad management, allowed a great number of the original orders, which had been sent to the captains-general of the provinces on the frontiers of Portugal, and memoranda of the rest of them, to fall into the hands of Mr. Lamb, the British ambassador, furnishing documentary evidence upon which, if need were, to pronounce a verdict of guilty against Spain, as having brought upon herself much humiliation by want of sense, want of prudence, and want of principle.



## CHAP. XII.

**PORTUGAL**—*Death of John VI.—Don Pedro's Resignation of the Throne in favour of his Daughter—Establishment of a Regency—New Constitution of Portugal—Promulgation of the Constitution—State of Public Opinion—Discontent of the Ultra-Royalists, and Desertions from the Army—Election of the Deputies to the Cortes—Intrigues of Spain and the Marquis of Chaves—Spain refuses to disarm the Deserters—Conspiracy discovered in Lisbon—Decree against Emigrants—Demands of the Portuguese Envoy—Revolts in Algarves and Tras os Montes—Meeting of the Cortes—Don Miguel takes the Oath to the Constitution—Renewed Remonstrances of the Portuguese Envoy at Madrid—Preparations of the Rebels—They invade Portugal—Spanish Minister at Lisbon suspended—Assurances given by Spain—Progress of the Rebels in Tras os Montes—Revolt in Lamego—Insurrection in Beira—Progress of the Rebels under Magessi in the Alentejo—Magessi is driven back into Spain—He re-enters Portugal in the Province of Beira—Revolt in Almeida—Military Movements of the Rebel Commanders and of the Constitutional Troops—Arrival of British Troops at Lisbon—The Rebels defeated at Coruches—They retreat into Spain.*

**J**OHAN VI. king of Portugal, and titular emperor of Brazil, died at Lisbon on the 10th of March, 1826, at the age of fifty-nine, after a reign of thirty-four years. During twenty-five of these years, from 1792, he had exercised the sovereign power as regent for his mother, who laboured under mental alienation. He succeeded her upon her death in 1817, and was crowned at Rio Janeiro, to which he had retired with the court on the invasion of Portugal by Napoleon. His character was marked neither by eminent virtues, nor debasing vices; and, though he had passed, during his reign, through many vicissitudes of fortune, he did not display in them any sagacity of design, or much steadiness of purpose. To leave Portugal when Napoleon

had declared that the House of Braganza had ceased to reign, and to prefer ruling over an independent empire in America, to wearing the crown of a vassal in Europe, was a singular step, and, perhaps, a wise one; but it was the result of foreign policy and urgency, not of his own voluntary deliberation. While he held his court at Rio Janeiro, and, in Portugal, after his return to Europe, he still was guided in his course by the circumstances which sprung up around him, seldom attempting, and still more seldom attempting successfully, to foresee, to direct, or to control them. The revolution of 1822 carried him before it, until it sunk beneath the weight of its own vices and absurdities, and left him, for the remainder of his reign, the old,



unlimited authority of his fathers. But neither was he bigottedly obstinate in adhering to old prejudices, when opposed to plain views of what was practicable and proper. By submitting to be rationally advised, and recognizing with a good grace and in good time, the independence of Brazil, he preserved that empire to his family: while Ferdinand of Spain, blinded by bigotry and prejudice, and guided by a faction as unthinking as himself, not only lost his dominions in the new world, but lost them amid loud bravadoes and empty threats, which rendered his weakness as contemptible as his obstinacy had been ridiculous.

A vessel was immediately despatched to Rio Janeiro with the intelligence of the king's decease, and, in the mean time, the government was administered by a regency, appointed by the late king on the 6th of March, a few days before his death, at the head of which was the sister of the new monarch, the princess Isabella Maria. There was only one circumstance which could make the death of John VI. an occasion for political intrigue. If Don Pedro accepted the throne of Portugal, it was imperative upon him to lay down the crown of Brazil; for the constitution of Brazil, to guard against the misgovernment which had afflicted it when a colony, had provided, in securing its independence, that the two crowns should never be united on the same head. It remained, therefore, to be seen, whether Don Pedro would choose to be emperor of Brazil, or king of Portugal. But at home there was a strong party which had opposed to the last the recognition of Brazilian independence by the late

king, who were willing to hazard every risk to effect its recal, and even venture upon the impossible task of bringing Brazil back by force to a due obedience to the mother country. They were supported by the influence of the queen dowager, and the emperor's younger brother Don Miguel, both of whom had shewn, in the preceding year, how little they regarded the affection and the respect due to a husband and a father, when it stood in the way of their own wild and ambitious designs. This party itself, again, was in a great measure merely the creature of some foreign courts which held the same general creed of political obedience, and more especially of the court of Madrid, which was wedded to such principles of policy by a community of interest. It was the wish of this party to induce Don Pedro to temporize as long as possible before making his choice between the crowns, and to prevent all representations to him which might hasten that choice, in the hope that, by evading and procrastinating, expedients might be found to restore the supremacy of Portugal, and enable him to wield both sceptres. The regency had the good faith, and the good sense to follow better advice; and when they informed Don Pedro of the death of his father, they pressed upon him earnestly the necessity and expediency of a speedy determination. Delay would have been dangerous to his authority in both countries, for in both his authority would have been uncertain; and in fact, every act of government exercised by the regency of Portugal in the name of Don Pedro, after he should have learned his title to the crown, would have



been, on his part, a violation of the constitution of Brazil.

In the event of Don Pedro resolving to sacrifice the crown of Portugal, and transferring it to one of his children, it was doubtful how far Don Miguel and his adherents would patiently submit to such an arrangement. They were declared enemies to the separation of the two countries; there was reason to apprehend, that, when Pedro relinquished the throne himself, they would dispute his right to fill it with another; and, at all events, Miguel's elevation to the vacant seat, would be the triumph of their own principles. On his father's death, however, Don Miguel appeared to be most submissive and respectful. When that event happened, he was still resident at Vienna, whither he had been sent as into a kind of honourable relegation, after his attempt against the authority of his father; and, however little the Austrian cabinet might be inclined to give countenance to political changes, by encouraging princes who acknowledged the independence of revolted colonies, they had nothing to gain for her by exciting internal discontent in Portugal, or raising up a competitor to its lawful monarch. Accordingly the answer which Don Miguel returned to his sister, on receiving officially the notification of his brother's accession, while it plainly showed what apprehensions were entertained of his own inclinations, or of the purposes for which a party might employ his name, was frank and satisfactory. "Though the fidelity," said he, "which the Portuguese nation has always observed towards its sovereigns be unalterable, it is, however, possible that evil-minded persons, ac-

tuated by sinister and reprehensible views, may seek to excite in the kingdom criminal commotions, perhaps making use of my name to cover their perfidious views.

"Under these circumstances, and considering the distance which separates me from Portugal, I have thought that it was not only suitable, but absolutely necessary, to express, by the only means in my power, that, far from authorizing, directly or indirectly, any seditious machinations, tending to disturb the tranquillity of our country, I positively declare that nobody respects more than I do the last will of our august father and master; and that I shall always disapprove every thing that shall not be conformable to the dispositions of the decree of the 6th March of the present year, by which his majesty the emperor and king so wisely provided for the public administration, by creating a junta of government for these kingdoms, till his legitimate heir and successor, who is our dear brother and master, the emperor of Brazil, shall have provided for it, as he, in his wisdom, shall see fit.

"I beg you, therefore, my tender sister, in the improbable case that any one should dare rashly to abuse my name, to serve as a cover to projects subversive of good order, and of the legal existence of the government established by him who had the incontestible right to do so, to take care to cause to be published and declared, when, how, and where you shall please, by virtue of the present letter, the just sentiments which it contains, which spontaneously emanate from my heart, and are inspired by the fidelity and respect due to the memory of the last will of our dear father and sovereign."



Such was the language of Don Miguel on the 6th of April. In the course of a few months a widespread rebellion was raging in the kingdom, to overturn the succession appointed by his "dear brother and master," and place himself upon the throne, without its drawing from him any speedy, or decisive, or public disavowal of the traitors who were levying war in his name against a government to which he had sworn allegiance.

The intelligence of the death of king John reached Rio Janeiro on the 24th of April, the anniversary of the day on which he had embarked from it to return to Portugal. Don Pedro had now before him a choice which on every side was surrounded by difficulties. At first sight it would appear natural that he should prefer the ancient and settled throne of his European monarchy, to a new and unsteady dominion, whose population were not attached to him by habit, while their national and political prejudices were strongly directed against his native country, and whose territory came, on every side, into contact with states the very form of whose government made them his enemies, and were incessantly presenting seductive examples to the discontents and antipathies of his own heterogeneous provinces. In Europe there was prepared for him a crown venerated for its antiquity and respectable for its strength; a people accustomed to obedience and attached to his family; a state of society which had nothing in it to produce uneasiness, excepting the remaining traces of a momentary convulsion which half the liberality he squandered upon the constitution of Brazil, if joined with prudence, would speedily have re-

moved; establishments military, naval, and commercial, which had existed for centuries; and allies both able and willing to support his authority, if he should be so inclined, against any popular encroachments. In Brazil, he was to give steadiness to a throne tottering amid the storms of surrounding revolutions; laws and institutions, a fleet, an army, and a treasury, were to be created; a war already begun, but neither popular nor successful, was to be prosecuted; his subjects were to be jealous colonists, and savage, or half-civilized aborigines; and he was to have for neighbours, not powerful allies, and monarchs who had the same interest with himself, but vigilant, and inimical republics. But it was natural for him to desire that, although he could not rule over both countries himself, they should both remain subject to the House of Braganza. The successor whom he might appoint to the throne of Portugal, was not likely to be attacked by any dangerous and extraneous competitor: the habits of legitimate succession were too deeply rooted in Europe, and it was too much the interest of all its monarchies to preserve them, to allow the tranquillity of the legal successor of a sovereign who had abdicated to be seriously disturbed. Brazil, however, was in a very different situation, and to relinquish it to reign in Portugal brought the imminent danger of losing it entirely. Of all the colonies which Spain and Portugal had planted in South America, Brazil alone had retained a monarchical government; and her continued adherence to monarchical forms had been the result, in no small degree, of the presence of the king and the court during the



years of his exile from Europe. The Brazilians were as bitter in their enmity against the policy and institutions of the mother country, as the natives of any other South American states; they were equally determined against the interference of her influence with the conduct of their government; if opposition to their demands had been persisted in by Portugal as obstinately as it was by Spain to the demands of Colombia or Buenos Ayres, Brazil would have ranked among her sister republics; and even now dangerous symptoms were occasionally shewing themselves in the northern provinces. The children of Don Pedro were all infants: a long minority, and regency, could not fail to be most dangerous to the supreme authority of the royal house of Portugal in a country which had just conquered its independence; which, in conquering its independence, had naturally been drawn towards forms of government by which that independence would be most strongly expressed, and was attracted by political affinities to the republican institutions that every where surrounded it. Hatred of European governments, and European princes, had been both a cause and an effect of the South American revolutions; and, although circumstances had hitherto saved monarchy in Brazil, monarchy itself was not an object of affection, and the family who enjoyed it was, from its very connection with the mother country, an object of jealousy.

Considerations like these may have had some weight with Don Pedro and his counsellors in making a choice which it can never be agreeable to a monarch to make—which of two crowns he shall resign. At all events, he made

his decision in favour of Brazil, and that without either temporizing, or any undue delay. On the 2nd of May, he abdicated the throne of Portugal, and, in announcing this step to the Brazilian chambers, when he opened their session four days afterwards, he made it a new merit with his American subjects. “I considered the interest of Brazil; I reflected that it would be a disgrace not to make Portugal happy, but what was my affliction in seeking means to make Portugal happy without injuring Brazil, and separating them never again to be united. If there be any Brazilians still incredulous, they may now know that such is my consideration for the interests and independence of Brazil, that I have abdicated the crown of the Portuguese monarchy, which was mine by indisputable right, merely, lest in future, something might arise prejudicial to the interests of Brazil.”

This act of abdication of the crown of Portugal was in favour of his eldest daughter Donna Maria da Gloria, who was then an infant of seven years of age. Until she should arrive at legal age, the powers of government were vested in her aunt, the present regent. At the same time, in order to remove as far as possible every occasion of internal disturbance, and obviate any dangers which might be apprehended from the faction of the queen dowager, and Don Miguel, it was made a condition of the cession to the infant princess, that, on coming of age, she should marry her uncle Don Miguel. An amnesty was at the same time granted for all political offences where the punishment had not exceeded condemnation to the galleys for three years. A new constitution was formally promised to Portugal; and



the young queen was not to leave her father's court until not only the ceremony of her betrothal to her uncle should have taken place, but until the promised constitution should have been sworn to in Lisbon.

Although the independence of Brazil had been formally recognized in 1825, Portugal had hitherto looked upon that country, so long as it was under one sovereign with herself, as forming not merely a part of the same monarchy, but as still having the character of a colonial adjunct, which many accidents might bring back to a state of colonial subjection. The separation was now final and complete ; it was no longer an act of a revolutionary government, whose pretensions might be disregarded as rebellious ; the supreme and legitimate authority had dissolved the connection for ever. This dissolution equally offended two parties in Portugal, totally opposed to each other in their ultimate views. The apostolical party, as it was called, whose creed consisted in the most extravagant notions of prerogative, stretched to their most chimerical extent, and who held the right of supremacy in the mother country over the colonies to be no less divine and indefeasible than the right of supremacy in the sovereign over the mother country, considered it to be, in principle, a formal approbation of insurrection, and, in practice, a direct encouragement to future treasons, the destruction of all social order, and a degradation of the power and dignity of the Portuguese crown. The liberals, again, who languished for the extermination of despotism, regretted the choice of Don Pedro, because they could not expect that a temporary regency would venture upon any change in the forms of

government, and because the destined husband of the queen had already shewn himself to be decidedly hostile to every degree of political innovation. Both parties united in ascribing the emperor's determination to the influence of Great Britain, who followed, they said, only her own interest, in dismembering and weakening the Portuguese monarchy, in making Portugal dependent upon her in Europe, and monopolizing to herself the advantages of commercial intercourse in America. All these ideas were overturned by the course of events. It was just as chimerical for Portugal to hope that she could reduce Brazil by force, as it would have been impossible to prevail upon the latter to return under the supremacy of the mother country. What had happened in the Spanish colonies was most convincing proof, that the recognition of Brazilian independence was the only step which could preserve some sort of connection between that country and Portugal. Brazil was still governed by a member of the family of Portugal ; but the policy of the apostolics would have produced their banishment from its shores, and insured the creation of a republic as a bulwark against their ever returning.

The new constitution which Don Pedro had promised to Portugal immediately followed, and was the last act of his authority over that kingdom. The haste, with which it was concocted, did not augur well for the sagacity of its arrangements. The constitution which had been given to Brazil in December 1825 was at hand ; and the charter which was now given to Portugal was, in point of fact, little else than a transcript of the former, with the difference that the upper



chamber of the Brazilian legislative assembly was formed of elective senators, while the upper chamber of the Portuguese Cortes consisted of hereditary peers. Now, no plan could be more crude and hasty, no measure could promise of itself to be so little successful, as to transfer to Portugal both the general forms and the details of institutions which had been framed for Brazil, a country where the organization of society, the progress of civil life, the habits, the sentiments, and the prejudices of the people, differed so widely from those of ancient European states. If they were suitable and expedient institutions at Rio Janeiro, the probability was, that they would be found misplaced and embarrassing on the banks of the Tagus, except in so far as they proclaimed those abstract and general propositions which belong equally to all forms of good government, and yet are practically useless in the framing of any.

This constitutional charter, in 145 articles, arranged under eight titles, attempted to draw the line between the executive and legislative power, and to define specifically the rights of the people. To the king were reserved the prerogatives of making peace and war, with the exception that any treaty which might exchange or cede any part of the territory or possessions of the crown should be ratified by the Cortes; to bestow honours and grant pensions, the latter, when given at the public charge, being dependent on the approbation of the Cortes; to nominate to all ecclesiastical dignities, and to all civil and military offices; to convoke the Cortes, either at the stated time of assembling, or, if circumstances should require it, in an extraordinary meeting; to

prorogue and dissolve them when he should think proper; and to give the force of laws to their decrees, by adhibiting his consent. In imitation of the constitution given to the jealous Brazilians, this charter provided that, if the king should quit the kingdom without the consent of the Cortes, he should be held to have abdicated the crown.

To the Cortes, as the legislative body, was declared to belong the right to appoint, in case of the minority of the heir, a regency, and define its powers, and to acknowledge the prince royal to be heir of the throne in the first session which should be held after his birth—a provision which seemed superfluous, if hereditary succession was to be a fundamental principle of the constitution, and implied a power in the Cortes of changing the dynasty, or at least, the order of the dynasty, at every new accession. To them, likewise, it belonged, on the death of the king, or in the event of the throne being vacant, to establish a Council of Administration;—to inquire into and reform abuses which might have been introduced;—to make laws, and to interpret, suspend, or revoke them;—to watch over the constitution, and provide for the general good of the nation;—to fix annually the public expenses, and apportion the direct taxes;—to grant or refuse entrance to foreign forces, by land or by sea, into the interior of the kingdom, or into its ports;—to fix annually and according to the report of government, the land and sea forces, ordinary and extraordinary;—to authorize the government to contract loans;—to establish proper resources for the payment of the public debt;—to regulate the administration of the national do-



mains, and decree their alienation ; —to create or suppress public offices, and to fix their emoluments ; —to determine the weight, value, inscription, and denomination of monies, as well as the standard of weights and measures.

The Cortes, by whom these powers were to be exercised, was to consist of two chambers, a chamber of Peers, and a chamber of Deputies, the approbation of both being necessary to the making of laws. The peers were deprived of their right of exemption from taxation, and were declared to be the only judges in impeachments of public servants. The number of representatives to be elected to the chamber of Deputies, and the mode of their election, were not provided for by the charter, but it laid down the general qualifications to be required in a voter, and provided, after the example of America, and the revolutionary Cortes of Spain, and of Portugal in 1822, that the deputies should be re-imbursed for their expenses in travelling to and from Lisbon, and receive a daily sum for their attendance. In the judicial department, trial by jury was introduced ; it was declared that the judges should not be removeable at the will of the crown ; and torture, the use of the lash, and branding with hot iron, were formally abolished. The Roman Catholic religion was declared to be the religion of the state ; the exercise of all others was indeed allowed, but only on the condition of not being performed in any building distinguishable as a church. The general rights and liberties of the people were embodied in declarations that all were equal in the eye of the law, bound equally to defend the state by military service, and to contri-

bute to its revenue ; that every man's house was inviolable ; that no citizen should be obliged to do, or be hindered from doing, any thing whatever, unless by virtue of a law ; that no law should have a retrospective effect ; that every one might communicate his thoughts, whether verbally or by writing, and publish them in print, being responsible for any abuses which he might commit in the exercise of this right, according to the forms determined by the law ; that no person should be persecuted for the sake of religion, as long as he respected that of the state, and did not offend public morality ; that every man might remain in the kingdom, or depart from it, and carry with him all his property, conforming, nevertheless, to police regulations.

If nothing more were required to make a constitution suited to the wants, and conformable to the habits and opinions of a people, than to frame it upon dogmas of most theoretical liberality, and enunciate, as its foundation, general propositions most unquestionably true, the charter, which was thus granted to Portugal, ought to have insured her happiness. But the efficacy of all such institutions depends upon the details by which general rules are to be reduced to practice, and still more upon the spirit which is to animate the execution of these details. Thus, to know whether any real good will follow from a charter which declares that every subject may do every thing which is not prohibited by an express law, it is necessary to know what is the nature and constitution, what the feelings and modes of thinking of the power by which these laws are to be made, and above all what are the rules



which govern, and the spirit which pervades, the tribunals by which these laws are to be administered. But, at all events, the granting of this charter was a fair and voluntary attempt of Don Pedro to introduce a representative government, and it was more than a fulfilment of his father's promise to restore at least the ancient Cortes of Lamego. It had not been wrested from him either by force, or even by prayers and remonstrances; and therefore could not with any good grace be resisted even by the cabinets which held that all political changes must proceed as a gift from the crown. In itself, it still left to the king enough of splendor and prerogative to place it beyond the reach of any objection from the lovers of absolute power, except the simple objection that it was not unadulterated despotism.

When this Constitution arrived at Lisbon, the regent and her counsellors delayed its promulgation, not from any design of suppressing it, or impeding its execution, but to be prepared for opposition—an opposition which the political changes of Portugal during the last four years rendered not improbable. This caution, however, was, in some respects, mischievous. For, although the people in general received with favour the boon which was thus granted to them, there were many who, from pure love of despotism, hated it for its own sake; there were many, who disliked it, because they regarded it as a proof of the preponderance of British influence in the counsels of Portugal; and there were some foreign potentates willing to plot against it, because they dreaded every acknowledgment of popular rights as dangerous to the stability of their own thrones. All

these drew hope and confidence from the delay in the publication of the constitution, which they imputed to lukewarmness or apprehension in the government; while those again who regarded the constitution with affection were agitated by undefined fears that the benefits which the king had resolved to bestow upon his subjects were to be intercepted by domestic treason, or by the unwarrantable interference of foreign powers. The consequence of this feeling was indignation and distrust, which threatened the public tranquillity. General Saldanha, who was governor of Oporto, and immediately afterwards was named minister of war, stated in a report to the regent, that the first intelligence of the granting of a constitution had been received in that city not only with the greatest joy, but with a firm resolution to exact the full enjoyment of the benefits conferred by the sovereign; that this resolution had gained strength in proportion as its necessity was apparently increased by the silence of the government; and that the joy which at first had animated the people and the troops of the garrison, gave way to distrust. The peaceable character of the inhabitants, and the discipline which he had enforced among his soldiers, had enabled him to keep them within the bounds of duty and moderation, and they had contented themselves with manifesting their enthusiasm in the theatres. "But," added the general, "I must frankly tell your highness, that, if this state of uncertainty and distrust be suffered to continue, and if the first post does not bring positive orders for taking the oath to the constitutional charter, it is



impossible to preserve tranquillity, or to calculate the fatal consequences of such a state of things." The opponents of the constitution were as restless as its friends; their mutual animosities daily augmented; plots were forming among the military not only to oppose the introduction of the representative form of government, but to exclude the descendants of Don Pedro from the throne, and elevate his younger brother, Don Miguel, in his stead. These antipathies and machinations broke out at last in acts of open violence, which, however, were immediately checked by the vigour and firmness with which Saldanha acted. The disaffected party in Oporto where, after Lisbon, public opinion is of most importance, was crushed, and did not again show itself even during the revolutionary movements which soon followed in other parts of the kingdom.

On the 13th of July, the adoption of the constitution had been proclaimed; and the 31st of that month was appointed as the day on which, in accordance with the provisions of the charter, the oath to it should be taken by all the members and servants of government, the dignified clergy, the municipal magistrates, and public functionaries, throughout the monarchy. At Lisbon the ceremony was performed with much pomp and popular shew: the mourning for the late king was suspended; the city was illuminated, and for three days presented one continued scene of festivity and public rejoicing. The troops shared in the enthusiasm of the people; the new system seemed to be firmly fixed in the affections and opinion of the capital; the council of regency was at an end; the Infanta became sole sove-

reign; and a new ministry was formed, consisting entirely of men who were known to be the friends of liberal institutions, though not of military revolution. Throughout the provinces, likewise, the ceremony passed off, in general, without any manifestations of disaffection to the charter on the part of the people. The ministers of foreign powers maintained the usual diplomatic relations with the government of the regent, and either virtually or expressly recognized its legitimacy, with the exception of Spain, whose policy, however, it did not suit publicly to withdraw her ambassador. Britain not only expressly recognized, but, by her influence, was the bulwark of the constitution; nay, the enemies of the charter laboured to excite popular discontent against it, by representing it as an engine framed by Britain as a means of perpetuating her influence over Portugal, and securing the insignificance of the monarchy by confirming for ever the separation of the colonies from the mother country. But the only influence which England possessed in Portugal, independent of that arising from commercial relations, was the influence of great power, always used with good faith, to confer great benefits.

In the proclamation in which the charter was promulgated, the regency, in order to conciliate those who thought change synonymous with anarchy, from whatever source it might be derived, had pointed out how much it differed in character from that which had been forced upon the nation by military usurpation, in 1822. "The charter," said they, in that proclamation, "is not a forced concession; it is a voluntary and



spontaneous gift of the legitimate power of his Majesty, and matured by his profound and royal wisdom. This charter tends to terminate the contest between two extreme principles which have agitated the universe. It summons all Portuguese to reconciliation, by the same means which have served to reconcile other people; it maintains, in all their vigour, the religion of our fathers, and the rights and dignity of the monarchy; all the orders of the state are respected, and all are alike interested in uniting their efforts to surround and strengthen the throne, to contribute to the common good, and to secure the preservation and amelioration of the country to which they owe their existence, and of the society of which they form a part; the ancient institutions are adapted and accommodated to our age, as far as the lapse of seven centuries will permit; and finally, this charter has prototypes among other nations who are esteemed among the most civilized and the most happy."

But neither this language, moderate and prudent as it was, nor the general satisfaction with which the constitution was received throughout the kingdom, could check the activity or extinguish the intrigues of a party which was opposed with equal animosity to the liberty of Portugal, and to the independence of Brazil. If deprived of foreign assistance, that party could hope for success only by seducing the military, and, unfortunately, the recent history of the Portuguese army had been any thing but favourable to high sentiments of fidelity and subordination. During late years, they had been taught lessons which soldiers should never learn. It

had first been seduced from its allegiance by the revolutionists in 1822, and made the instrument of introducing their tumultuary constitution. Its influence was afterwards thrown into the opposite scale; and, in 1824, it rose twice against the existing authorities. The first insurrection was partial, and failed; the second was successful, and put an end to the power of the Cortes. In April, 1825, the troops, at the instigation of the faction who affected to look up to the Queen and Don Miguel as their head, were again arrayed against the sovereign, on the ground that he was not sufficiently despotic; and it was only the dread of the British power, and the presence of a British squadron, that restored the authority of the king. It was scarcely to be expected, that troops who had been accustomed to interfere so irregularly with the political arrangements of a country, should be easily satisfied with a system in which their co-operation had neither been needed nor desired. The more disorderly among them were naturally inclined to take advantage of the moment of change to throw off the trammels of subordination; and they were excited to do so by those officers who were too deeply implicated in the intrigues of 1824 and 1825, to be cordially trusted by the new authorities. The same influence, which had led them astray on the latter occasion, was again employed, and for the same purposes; the queen-mother did not conceal her hatred of the constitution, and of the new government; the watchword of her party "An absolute king" was again heard, and Spain was held out as the model which Portugal ought to imitate. Their



intrigues were not altogether unsuccessful, but as yet they produced only desertion. At the end of July, and the beginning of August, part of two regiments stationed at Estremoz and Villa Viciosa, on the frontiers of the Alentejo, revolted and fled into Spain under the command of brigadier-general Magessi; and some of the military in Chaves and Braganza on the northern frontiers of *Tras os Montes*, followed their example under brigadier general Montealegre. But their flight excited no disturbance in the provinces: it was a proof that they could not trust for support either to their comrades, or to the people; and if Spain had not encouraged and organized them, their desertion would scarcely have attracted the serious consideration of the government. The only step it took was to declare the regiments suppressed, and to erase their names from the army list.

The first labour of the Regency, after the oath to the constitution had been taken, was to prepare for the convoking of the Cortes, by framing a code of regulations for the election of the members of the Chamber of deputies. This code, which was promulgated on the 10th of August, proceeded on the principle of indirect election. The kingdom with the islands in the Atlantic, and its African and Asiatic dependencies, was divided into electoral provinces, or districts; the electors of each parish in a district were to choose a certain number of delegates; and these assembled delegates, under the name of provincial electors, were to elect the deputies. The qualification of a parochial elector was fixed at an income of between 24*l.* and 25*l.* per annum, arising from the pub-

lic funds, from the employment of capital in industry or commerce, from the pursuits of a profession, or even from a public pension; but all persons hired for wages were excluded, except clerks or cashiers in mercantile houses, and such members of the royal household as did not wear livery. In estimating the income, that of the wife was to be added to that of the husband, and the incomes of minor sons to the income of the father. All Portuguese subjects who were actually citizens of Brazil, who should be naturalized in foreign countries, or accept of foreign service and honours without the permission of government, were declared to be disqualified from voting. The most important disability was that which attached to the clergy. All clergymen and monks living in confraternities were disqualified, with the exception of the non-cloistered brethren of the three military orders, who formed no part of the conventual communities. To be chosen a provincial elector, and thus have a direct voice in choosing the deputies, it was necessary to have an income equal to 50*l.* sterling, double of that required in a parochial elector: and to be eligible as a deputy, the candidate was required to have an income double that of a provincial elector, viz. an income of about 100*l.* sterling. A candidate moreover could be elected deputy only for the district in which he had been born, or that in which his residence was legally fixed at the time. The number of deputies was fixed at the proportion of one for every twenty-five thousand souls, which gave in all one hundred and thirty-eight members, viz. one hundred and twenty for Portugal and Algarve; eleven for th



islands—of which the Azores formed one province or district, and Madeira and Porto Santo another; and seven for the colonial establishments in Asia and Africa. The elections by the parishes were limited to three days, commencing on the 17th and ending on the 19th of September. The whole proceedings were to be conducted by day-light. So soon as candles became necessary, the business was to be adjourned till next day. The election of the deputies by the district or provincial electors was to commence on the 1st of October and terminate on the 8th.

The principal defect in this system of regulations was the adoption of the principle of indirect election; a machinery which, separating the elected from the great mass of the electors, always impairs the strength and virtue of a representative government. The case in which there is most ground for having recourse to it, is, where the qualifications of votes are extremely low, and voters extremely numerous; but that reason did not apply to Portugal, where the numbers were small, and even the parochial electors were to have a yearly income of five-and-twenty pounds. Another error was, the almost total exclusion of the ecclesiastical orders from the elective franchise. There is no good reason why the members of the established religion of a country should be deprived of the political privileges enjoyed by other subjects; and there is little consistency in excluding them from one branch of the legislature, while their dignitaries are admitted to seats in the other. It may be true, that their influence was to be dreaded, and, that it would not have facilitated the working of the new insti-

tutions; but it would have been much less dangerous, acting openly under the known forms of the constitution, than when operating by concealed intrigues and machinations. The more that ecclesiastics are separated by the peculiarities of their profession from some of the ties of social life, the more desirable is it that they should be linked to it by other connections. Priests will be the better by participating in political privileges; and a system will be the more secure for not exciting their hostility.

In the mean time, from the moment that the constitution had been promulgated, and the oath of fidelity to it taken, secret intrigues had been carrying on to effect its overthrow, and place Don Miguel upon the throne. The disaffection began with the party who were hostile to the introduction of any thing like popular elements into the government, and who, in 1825, had made a daring attempt against the late king, because he was not extirpating, by bloodshed and proscription, the seeds of the popular commotion of 1822, so mercilessly as to their bigotry seemed good. They had always been anxious to support the title of Don Miguel, in the event of Don Pedro abdicating the Portuguese crown, because he was a man after their own mind, prepared, like them, to assert an imaginary supremacy over Brazil, and set at defiance every expression of public opinion, or of the public desires at home. The establishment of a representative constitution roused their political enthusiasm, like the commission of some atrocious crime; and the moment when the new government was still unsettled seemed to furnish an opportunity for crushing



public liberty in its birth. They were encouraged and assisted by the queen dowager, who, although removed from the court, and kept under strict surveillance at Queluz, never ceased to labour for the restoration of unmitigated despotism, and was secretly preparing the way for insurrection by largesses bestowed on the officers and soldiers of her guard. At the head of the party were the marquis of Chaves, a nobleman of immense possessions, and extensive influence in the northern part of the kingdom, his uncle Silveira, and the viscount Canellas, who, in 1820, had been president of the insurgent junta of Oporto, and now laboured in the cause of absolute power as willingly as he had then ranted in favour of radical revolutions. Along with them were combined Monteleagre, and general Magessi, a man who was held to possess some military talent. They did not seek their instruments among the great body of the people: their influence lay principally with the military; they reckoned on being able again to seduce an army which had already been more than once debauched, and taught to make and unmake governments; they counted on the wealth of Chaves, on the contributions and hearty co-operation of the priesthood, who hated the constitution both as excluding them from power, and being fatal to the despotism through which, by ruling one, they tyrannize over all; and they could gild their attempt by the countenance of the queen, and shield it under the name of a prince of the blood royal. If they could succeed in establishing themselves in the kingdom at the head of a military force, they had little to dread from the great body of the people, who, unaccustomed

to political thinking, took little interest in political changes; and would either remain quiet, or be drawn to favour an enterprise which was proclaimed to be in defence of religion, and for the restoration of the grandeur of the Portuguese monarchy.

But neither their own resources, nor the indifference of the people, nor the wavering fidelity of the army, would have afforded the conspirators any hopes of success, if they had not been supported and encouraged by Spain. The order of succession established by Don Pedro, and the constitutional charter which he had granted, had both been recognized by foreign powers, as proceeding from a legitimate authority. Great Britain, France, Russia, Prussia, and Austria, all united in acknowledging the regency, and in maintaining diplomatic relations with it: nor was it easily conceivable that any court, distinguished by attachment to prerogative, should be so absurdly inconsistent as to question the right of a sovereign prince to give his subjects such institutions as he might choose. Spain alone, poor, and weak, and wretched as she was, refused to acknowledge either the government or the constitution, and determined to preach up a crusade against kings in defence of monarchy. She had been displeased at the recognition of the independence of Brazil by John VI., because it was an example which, in regard to her own colonies, she was determined not to follow; the offence had been heightened by the subsequent sanction given to this separation by Don Pedro, when he resigned the sceptre of Portugal to retain that of Brazil; and now, the establishment of a representative government on



her very frontiers, and with so many facilities for communication, excited at once the fears and the hatred of Ferdinand and the knot of priests and fanatics who formed his counsellors. To extinguish every wish of seeing a better government substituted for the blind and ignorant despotism which they had re-established, had been the object of their incessant labours from the moment of the restoration of Ferdinand by the arms of France; proscription and banishment, the dungeon and the scaffold, had been mercilessly employed to root out every symptom of the disease; and they now looked with horror and loathing on a neighbour who was all over infection, and was bringing contagion into their very presence. Ferdinand and his Camarilla did not believe that their system was safe for a moment, so long as a representative government existed in Portugal; their system involved, to their eyes, the rights of God, and kings, and the duties of subjects; and, therefore, by open force, or by secret intrigue, the constitution of Pedro was to be overthrown, and the palpable darkness, which brooded over the Escorial, was to be extended to the mouth of the Douro, and the banks of the Tagus.

If the treason of Chaves and his coadjutors was, of all treasons, the most mean-spirited, because, instead of springing from a generous love of liberty, or a sense of strong attachment to an unfortunate prince, it was founded upon an abstract love of slavery, and directed against the legal and native monarch of the country, the conduct of Spain, setting aside her fears, was no less absurd and unprincipled. Spain, more than any other cabinet, was the apostle of the divine and inimitable rights of kings; her policy

was a daily commentary on the text, that every desire for alterations which are not the free gift of the sovereign, is rebellion; and that the holiest political duty of man is to defend every act of kingly power, and more especially to defend it against subjects. But when she refused to recognize the government of Portugal, and resolved to aid the conspirators against it, she was curtailing the extent of kingly prerogative, and uniting herself with rebellious subjects against the lawful acts of a crowned head. The constitution was a gift, not a concession; it was a free-will offering, not an extorted benefit; it had no taint of rebellion, and bore upon it every character of legitimate supremacy. Its opponents were plotting to resist royal authority, and elevate by force the wishes of subjects above the holy rights of kings: yet Spain took part with the rebellious subjects, and determined to risk her own tranquillity in support of the right of the people to constrain and compel the will of the monarch; while the wickedness of a people attempting to compel or constrain that will was the very foundation of her government, and the sole maxim of her policy. In fact, Spain opposed royal authority, because that authority was employed to introduce popular institutions among its subjects; and thus she enjoyed the solitary and degrading honour of publishing to Europe, that neither monarch nor people could cherish civil liberty without guilt and damnation, and that unmixed, hopeless despotism was the single form of government which heaven had designed for man, and the only one which virtue, religion, or expediency, could suffer to exist. In the frenzy of her



fears and her bigotry, she seemed even to shut her eyes upon the dangers with which her own principles threatened her own government. If Ferdinand was entitled to say to Pedro, I will not recognize the form of government which you have established in Portugal why should not England and Portugal on the same grounds say to Ferdinand, we will not recognize that which you have established in Spain? If Spain could say, "we shall aid Chaves and Canelas, in overturning the regency," why should not the regency say, "we shall let loose Mina, and his exiled countrymen upon your shores to overturn Ferdinand?"

Spain first expressed her fears to the cabinets of her continental allies, in the hope of finding in them kindred apprehensions, and receiving their countenance in the course which she might pursue. But, however little some of these cabinets might be inclined to favour popular rights, none of them was inclined to imitate her inconsistency or endanger the peace of Europe by declaring war against the prerogative of kings. Although they did not, by any formal declaration, refuse to her all countenance in her plans, and for a time were suspiciously cold to the remonstrances of the Portuguese regency; yet neither did they openly justify her proceedings. England had taken the part of the new government firmly and decidedly. France, although her sincerity was exposed to suspicion by the misconduct of her minister at Madrid, professed the most cordial satisfaction with the regency, and subsequently proved, by deeds, her disapprobation of the mad policy of Ferdinand. If among the other great powers, there were any who

were willing to await in indifference the issue of these machinations, and perhaps would not have been displeased to see the constitution of Portugal fall, they did not dare to lend their aid to its overthrow; and Spain found that she must depend upon her own resources. An open declaration of war was not suitable to her own internal state, and would have been too hard to justify in itself; she applied herself, therefore, to reach her end more covertly by finding a Spanish army in the adherents of Chaves and Canelas.

The intrigues of these traitors and their coadjutors, aided by the money and agents of Spain, had begun to shew themselves even before the oath to the constitution had been taken, in alarming and frequent desertions from the Portuguese army. Instigators of rebellion appeared on different points of the frontier, from Algarve to Tras os Montes, assembling and arranging the deserters, who, until they formed a body strong enough to act, were received as allies in the Spanish territory, by the Spanish authorities. A whole regiment abandoned the important fortress of Almeida, and, in the neighbourhood of Ciudad Rodrigo, awaited orders to return as invaders. To the south Magessi was assembling and organizing in the vicinity of Badajoz the batallions which deserted from the different corps stationed in the province of Alentejo: and in the north, Chaves and Montealegre, not only concentrated the fugitives, but, aided by the influence of the former, whose paternal estates were situated in that part of the kingdom, they crossed the frontier and advanced some leagues into the interior. Whenever the approach of the



constitutional troops compelled them to retire, they again found refuge in the Spanish territory, where they proceeded with their preparations as openly and tranquilly as if they had formed a Spanish army, and Spain had regularly declared war against Portugal.

While they assumed the name of royalists, and received assistance from a monarch, who more than any other, was extravagant in his notions of kingly power, their declared object was, to control the sovereign by force and to alter the order of succession. They proclaimed Don Miguel king, although even after the abdication of Don Pedro, his rights were excluded by every one of Don Pedro's children. Failing him they transferred their allegiance to the princess of Beira and her son, although by the laws of Portugal, the marriage of that princess had incapacitated her from succeeding. On the 31st of July they proclaimed Don Miguel king, and the queen dowager regent during his absence.

The desertions alarmed and embarrassed the regency not so much by their numerical amount, as by the influence of the example, and the general distrust of the army which they inspired. Decrees were immediately issued, disbanding the different corps which had deserted, but holding out pardon to the privates and to the inferior officers upon their return to their duty. By the standing treaties between Portugal and Spain, each country was bound, in the case of troops deserting from the other, immediately to disarm them, to restore their arms, money, and ammunition to the nearest authorities of the country from which they had

fled, and, if required, to deliver up the deserters themselves. But, instead of any part of these engagements being fulfilled by Spain, her military and civil governors on the frontiers, not only received the rebels as allies, and allowed them to prepare for their campaign within the Spanish territories but where arms, or ammunition, or provisions were wanting, all these necessities were supplied at the expense and by the authorities of Spain herself. Repeated applications were made to the commanders in the frontier towns and fortresses, urging the execution of the existing conventions, which in an instant would have put an end to the hopes and schemes of the insurgents; but in every instance they were evaded, on the pretence that such a step could not be taken without entering upon negotiations which they never deigned to particularize. These remonstrances proving fruitless, and it being evident that the officers in the provinces had higher sanction for this continued violation of treaties, Gomez, the Portuguese minister at Madrid, was directed, on the 7th of August, to communicate to the Spanish government the occurrences which had taken place;—to explain that, as the regiments which had deserted had been disbanded, and the time limited in the decree in favour of the inferior officers and soldiers had expired, the individuals of these corps who might remain on the Spanish territory were guilty of treason and rebellion;—and to demand, therefore, that they should be given up or placed in safe custody until brought to trial—that the horses, arms, ammunition, money, &c., which they had carried off, should be immediately



seized and returned—and that the Spanish authorities, against whom the government of Portugal had such just cause of complaint, should be dismissed. But Gomez unfortunately was himself an adherent of the rebels; he had refused to take the oath to the constitutional charter; and as this was unknown at Lisbon when these instructions were sent to him, Portugal at this critical moment was left without a representative at the Court of Madrid. His place was abundantly supplied by Mr. Lamb, the British minister. Our government, from the very first, had declared firmly that the Portuguese constitution should have fair play; that we were bound by treaties to interfere in defence of Portugal, if an unprovoked aggression should be made upon her from without; that we had no right, and no wish to interfere in civil dissensions among her own citizens; but that an army of Portuguese rebels, armed, equipped, and paid by Spain, would be treated as what it really was, a Spanish army. Spain did not wish to come single-handed to a contest with Britain; but she was equally unwilling to allow the constitution of Portugal to settle into tranquillity. Falsehood and evasion were employed, even when they deceived nobody: all the remonstrances of Mr. Lamb were answered by lying assurances that the governors on the frontiers had acted without the knowledge or authority of the government—by promises, which were never intended to be fulfilled, that such proceedings would be prevented for the future—and by hypocritical lamentations that the Portuguese deserters should have abused the refuge afforded to them in the Spanish territory. In the mean

time, the disobedient commandants were continued in their offices; the refugee Portuguese were received and armed; the equipment of infantry and the mounting of cavalry were going on in Galicia, Valladolid and Salamanca, and Canellas himself, the very soul of the conspiracy, whom Ferdinand was bound by treaty to have sent in chains to Lisbon, was residing in Madrid, in constant and familiar communication with the Spanish ministers, as if he had been the recognized plenipotentiary of the rebel chiefs.

Hitherto the infidelity to the constitution and the regency had been confined to the military, and to the fortresses and towns on the frontier. In the interior the troops had displayed no symptoms of disaffection; every where the great body of the people had remained tranquil; and at Lisbon and Oporto public opinion was decidedly in favour of the new system. An abortive attempt made at Lisbon to excite insurrection only strengthened the government, by the contemptible poverty of its means, and the facility with which it was suppressed. Some disaffected officers, having seduced four companies of the cavalry of police, along with a few infantry, formed the project of rising in open rebellion in the heart of the capital on the night of the 21st of August. If they were joined by the garrison, it was their intention to proclaim a new king, and institute a new regency; if they found their force unequal to that attempt, they were to march to Villa Franca, a short way above Lisbon, on the Tagus, and there await the effect which their example might produce; and if even this last experiment should fail, they were finally to



march quite across Portugal into Spain. The conspiracy was communicated to the government: the four companies were disarmed without resistance; and both the garrison and the people of Lisbon displayed the highest zeal in supporting the measures of the regency. To contribute to the tranquillity of the capital, a decree\* was issued, requiring all persons, who should cry newspapers, periodical, or other printed papers about the streets for sale, to take out a licence from the police; and ordaining that, if any person so licenced should announce alarming news, proclaim seditious papers, publish calumnies, or give criminal notifications, he should be arrested, and detained until it should be ascertained, whether his spoken program were conformable to the contents of the paper he was vending, and till he should give up the editor or author. The execution of this decree was intrusted to the military patrols. It was no favourable treatment of the press to constitute such functionaries the judges of what might be "alarming news, seditious papers, or criminal notifications;" but, at the commencement of an untried order of things, threatened by open rebels from without, and apprehensive of concealed traitors from within, measures of strict and irregular police are, not merely justifiable, but indispensable.

Another decree, issued on the 27th September, was directed against the conspirators who had

already left the kingdom, and those who might be disposed to join them. It ordered the local authorities in the different towns and cities throughout the kingdom to make up lists of all persons, of whatever condition, who had emigrated from their respective districts, pointing out their dignities and employments, and to sequester the property of the fugitives of every description. But, by the existing law of Portugal, the punishment of the absentees, independently of their rebellion, went much further than sequestration. By the old law, not only was any person, leaving the kingdom without permission, deprived of his civil rights and employments, but his property was *ipso facto* confiscated, without any judgment of a court, upon a bare certificate of his absence. In 1792, this severe forfeiture had been changed into sequestration during the absence of the offending party; but in 1811, the decree of 1792 was repealed, and the old law confirmed in all its parts.

The regency, on being informed of the defection of their minister Gomez, had despatched the marquis of Villa Real as plenipotentiary to Madrid. On his arrival, the Spanish ministry, still refusing to acknowledge his government, refused to recognize his official character—a double rejection, which constituted in itself, by the law of nations, a just cause of war; and, perhaps, an immediate declaration of war by Portugal would have brought Spain more speedily to listen to reason. But the former was unwilling to add the embarrassments of war, if by possibility they might be avoided, to the difficulties in which every new government finds itself; and hoped that the recognition of the constitution

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\* One article of this decree declared, that "such business" (viz. the crying of newspapers, &c. in the public streets) "shall be given only to persons of known probity, possessing real property, or some commercial or manufacturing establishment of their own."



by Don Miguel, which was daily expected from Vienna, would check the ardour of conspirators who had no shield but his name. Besides, in the event of a war, Britain was the only power to which Portugal could look for active and immediate aid ; and, as Britain was bound to come to her aid, only if she was unjustifiably attacked, it was wise to allow Spain to develop her wiles more fully, and put herself in the wrong, to the conviction of all the world. For the same reasons, the marquis of Villa Real still continued his diplomatic intercourse with the Spanish government. He pressed for the recognition of the charter and the regency, the punishment of the commanders on the frontiers who had openly protected and armed the rebels, the expulsion of Canelas from Madrid, and at all events, the seizure and restoration of the arms which the deserters had carried off. His demands either remained unanswered or were evaded. The pretence of Spain was, the necessity of consulting with her allies before taking so important a step as the recognition of the new government. But the opinion of her allies was already known ; every great court in Europe had recognized the regency as a legitimate government, and had its accredited agents in Lisbon. Wearied out by this long course of bad faith, the Portuguese minister addressed a note to M. Salmon, Ferdinand's minister for foreign affairs, in the end of September, stating, that, if the court of Madrid finally refused to recognize the present government of Portugal, and would not satisfy her demands with respect to the refugees, he would withdraw himself immediately, and then Portugal would feel herself at

liberty to have recourse to every means which might appear suitable for her defence. About the same time, Mr. Lamb absented himself from a solemn levee at the palace, on the 1st of October, assigning as his reason the unsatisfactory conduct of the government in regard to the disarming of the Portuguese refugees. The consequence of this was a note from M. Salmon on the 3rd of October, addressed not only to M. Villa Real, but likewise to all the foreign ministers, in which he asserted "that the king had already given orders to send back the arms of the deserters, and prevent them from violating the Portuguese frontier, and had directed Canellas to leave Madrid within three days, and Spain within a month." The first assertion was either a deliberate falsehood, or the government of Ferdinand was despised, and his commands flouted even within his own kingdom ; for those orders never were obeyed, if they were ever given. The Spanish government was not ignorant to whom their orders were addressed, and by whom they were violated ; the names of the offending generals had been particularized to them, general Longa on the northern frontier, St. Juan on the eastern, and Quesada in the south. Along the whole frontier, the system continued to be followed ; at the very moment these assurances were given by M. Salmon, the Portuguese rebels were equipping themselves, with the aid of Spain for a new inroad across the frontier ; after these assurances, the equipment proceeded as actively as before ; the very arms which were to be seized and restored were put into the hands of refugees, or allowed to remain in them ; and Portugal was again invaded both in the north and in the south.



On the 7th of October, the duke of Abrantes, landed at Tavira, in Algarve, apparently with no formed plan of operations. A regiment of chasseurs, however, which was stationed there, was induced to join him, and Don Miguel was proclaimed king. This body then marched eastward to Villa Real, where they compelled the governor of the town to take the oath to the new king, and were complimented on their success by the Spanish authorities of Ayamonte, a frontier town on the other side of the Guadiana. The insurgents were not joined by any part of the population, and the rest of the military in the province proved faithful. M. Saldanha, the minister at war, immediately proceeded into Algarve, taking with him all the troops that could be spared from Lisbon. Along with him were five judges, to form a military tribunal, which might move about from place to place, to try summarily, and punish instantly, such rebels as might be taken. But the insurrection, which was never formidable, had melted away before his arrival. The military commander of the province had checked the advance of the rebels northward, by taking post at Mertola; and when Saldanha reached that town, they had already dispersed and fled into Spain.

The attempt made by the marquis of Chaves again to raise the province of Tras os Montes was equally unsuccessful. He advanced, in the beginning of October, as far as Villa Real; but all he could effect was, to induce about two hundred men of a chasseur regiment to desert; and on the 10th of October, he fled with his family into Spain. There was now not a single spot in Portugal

occupied by the rebels; the great body of the army had remained faithful; the population had shewn a spirit of quiet and contentment, and, on no occasion, had been seduced by the promises or professions of the insurgent leaders. If even now, Spain had done her duty, and kept her word, by acting up to the assurances given by M. Salmon on the 3rd of October, alarm and tumult would have disappeared from Portugal. But the folly of the Camarilla seemed to be equalled only by its persevering obstinacy. The retreating rebels were received as kindly as ever; greater exertions than before were now made to organize and arm them, and convert these predatory inroads into a more serious descent. The priesthood laboured with zeal to rouse enthusiasm, and to supply money; but, as yet, none of the higher ranks of the Portuguese ecclesiastics had manifested any disaffection to the existing order of things.

The charter had fixed the first ordinary meeting of the Cortes for the 2nd of January, 1827; but the executive possessed the power of convoking them at any time, in an extraordinary session, if any public emergency should render it advisable. In the present state of public affairs, it was found necessary that new taxes should be imposed, to meet the increased expenditure occasioned by the rebellion; and, as the continuance of that rebellion, aided by Spain, might force Portugal to claim the assistance of Britain, it was necessary to obtain the consent of the Cortes to the introduction of foreign troops into the kingdom. The Cortes were, therefore, summoned to meet on the 30th of October; and, on that day, their



first session was opened by the Infanta Regent, with a speech which breathed a spirit of mildness and moderation, always becoming, but not often met with in a new constitution. "You are well aware," said she, "that Portugal has never recognized, even in the most remote ages, any other government than that of a representative monarchy; but the prelates and the grandees of the kingdom formed the representative body; the people had no voice and no share in its institutions, which were almost feudal. It was the king of Portugal that, some time after the origin of the monarchy, conceded to the third estate those rights and that dignity which barbarous ages had denied them. Portugal then flourished, for the first time, under the protection of a purely representative government. There existed, however, no laws to give stability to institutions adopted by usage, and handed down by tradition: they fell, in consequence, into desuetude, and the Cortes were forgotten by the nation which they once represented. It has been reserved for our days to revive them by wise and stable rules. Such was the design contemplated by the royal mind of my august father, whose memory will be ever dear to Portugal—such is the design which, to his immortal honour, my august brother has consummated, by conferring upon this nation the boon of the constitutional charter. A very few hours ago, I received from Vienna, intelligence that my dearly beloved and much esteemed brother had taken the oath to the constitutional charter, without condition or qualification, on the 4th of this present month; and that, immediately after this act, he had ad-

ressed his holiness, for the purpose of obtaining the necessary dispensation for solemnizing his marriage with my august niece and sovereign Queen Donna Maria the Second. Our legislative enactments will eminently concur to the maintenance of public tranquillity, and in giving stability to the political system established by the charter. They will establish, on the solid basis of justice, the civil and criminal codes of the empire; they will give regularity to our municipal bodies, and to our provincial tribunals; and add, at the same time, a new impulse to commerce and agriculture, the sources of our national prosperity. In mentioning commerce, I cannot refrain from communicating to you the very flattering hopes I entertain of seeing its activity doubled, both in Portugal and Brazil. Your attention will doubtless be directed, with very particular care, to education and the public instruction of the community, which contribute so efficaciously in purifying the morals of the people, which times of trouble have corrupted. Nor will the re-establishment of education, bottomed upon the principles of the holy religion which we profess, and which we shall ever defend, less contribute to the stability of the monarchy, and to the production of that perfect harmony in which all the members of this great family ought to dwell.

"Worthy Peers of the realm! in your capacity of legislators you are called upon to take part in these important labours; but you are also called to exercise the high functions of the magistracy. By the wisdom, firmness, and patriotism which shall distinguish your efforts you will serve as an example



to those who may succeed to your hereditary dignities. It is with you, gentlemen deputies of the Portuguese nation, that all measures which respect the recruiting of the army, and the taxes, will of right originate. The establishment of our public credit also demands your most serious attention. The ministers of state will furnish you with all the explanations which the charter requires from them. Finally, from all of you conjoined, worthy Peers of the realm, and gentlemen deputies of the Portuguese nation, I expect, and the whole nation hopes, the accomplishment of our brilliant design. To you the throne looks for its firmest support; and you have placed before you, as the great recompense of the interesting labours which you are about to enter upon, the delightful satisfaction of being able, one day, to say to your countrymen, 'We found Portugal weak and languishing: we leave her vigorous and flourishing.'"

The language used in alluding to the relations between Portugal and Spain was equally conciliatory. "All will speedily learn that the representative government of Portugal is truly just and moderate, and that it seeks not to carry disquiet into any other State, on account of diversity of institutions, but limits its intentions to the steady and energetic defence of its own. Already have facts more forcibly than words shown the prudence and good faith of this government. These have in a great measure diminished the apprehensions of a neighbouring nation. The government of that nation are now convinced, that difference of political institutions ought not to diminish that friend-

ship and mutual confidence which the solemnity of treaties, the ties of blood, and the vicinity of territory, have so long consolidated."

The first care of the Chambers was, to provide for the security of the kingdom against domestic treason and foreign aggression. A law was passed, suspending for a limited period some of the safeguards of personal liberty established by the charter; and another, for making an addition to the army, by the formation of a select body of troops, under the name of Guards of Security. In the Chamber of Deputies a proposal was made to authorize the government to arm regiments at pleasure, and to employ all foreigners, whether soldiers or otherwise, who had taken refuge in Portugal. This last measure was intended to alarm Spain, by sending back armed into her territory, the liberals who had been exiled on the restoration of Ferdinand, as well as some troops who had deserted on the establishment of the constitution in Portugal. But although, as a measure of retaliation, it would have been perfectly justified by the conduct of Spain, yet, as a declared act of government, it would have been inconsistent with the moderation which Portugal and her ally still wished to display. The proposal was sent to a committee, but was never adopted. To secure the fidelity of the army already existing, it was resolved that the pay of such soldiers as might be killed in the rebellion should be continued to their wives and daughters.

In the budget of the year, as brought forward by the minister of finance on the 7th of November, there was a deficiency to the amount of two thousand contos of



reis, without making any allowance for new expenditure which might be found necessary, and which, in regard to the army estimates, would be unavoidable. The minister stated, however, that there were means of providing for this deficiency without having recourse to direct contributions, which, he thought, in the present circumstances of the country, would not be advisable. The chamber accordingly authorised a loan to be effected, to the extent of the deficiency, at five per cent, with a sinking fund of one per cent. Twenty contos of reis were to be annually employed in paying the interest and redeeming the principal, by buying up the bonds of the loan. To meet this charge, certain new duties were laid upon some articles of importation, particularly on cards and foreign wines. A small impost was likewise laid on the importation of grain.

The regency had already fixed the salary to be allowed to the members of the Chamber of Deputies at 3,750 reis (about 1*l.*) per day, during the session, with an additional allowance to the deputies from the distant provinces of Madeira, the Azores, and Asia. The Cortes now fixed the establishments of the different members of the royal family, as provided by the charter. To the infanta regent was voted an allowance of 1,500 mil-reis per day while she continued regent, and a further pension of 125,000 francs during her life, as a mark of gratitude on the part of the Cortes for the services she had rendered to the state on the introduction of the constitution. The young queen was to have an allowance of 2,000 mil-reis per day, payable from the

date of her arrival in the kingdom, and was to receive, in addition, the sum of 2,000 mil-reis as outfit. The other princesses were allowed pensions of 125,000 francs; and the queen dowager, besides the appanage which she already enjoyed, a pension to the same amount, proper and becoming from her connexion with the royal family, but not merited by any manifestation of good will, either to the sovereign or the constitution. All these allowances were declared to be independent of any other sums paid to the personages on whom they were conferred, and the enjoyment of palaces or other property belonging to them.

The cares of the Cortes were speedily diverted from internal arrangements to foreign invasion. The regent, in opening the session, had said, "That the Spanish government was now convinced, that difference of political institutions ought not to diminish that friendship and mutual confidence, which the solemnity of treaties, the ties of blood, and the vicinity of territory, had so long consolidated." But so long as Ferdinand hated and feared the Portuguese constitution, it was impossible that mutual confidence or friendship could exist between him and the rulers by whom that constitution was supported; his fondest desire was, to witness its downfall, and his only anxiety to conceal his share in the conspiracies by which it was attacked. The assurances given by M. Salmon on October 3rd, had been followed by the invasion of Algarves and Tras-os-Montés, by Chaves and the duke of Abrantes; and these traitors retired into Spain only to recruit their strength, and better organize their designs. It was now offici-



ally known at Madrid, that Don Miguel himself had been betrothed, at Vienna, to the young queen, and had taken the oath to the new constitution, without condition or qualification. His alleged title to the throne, on the abdication of Don Pedro, had never been any thing more than direct usurpation; but, after he had solemnly recognized the charter, and the line of succession which it established, there could no longer be any supposed identity of projects between him and the rebels, and Spain could not lend herself to those who might still use his name, without being guilty of direct hostilities against the Portuguese government. Trusting to the effect which this occurrence might have had upon the Spanish ministry, the British and Portuguese ambassadors renewed their remonstrances against the refusal to recognize the regency. Spain did not dare to speak out the true reason of this refusal, viz., that she denied the right of a sovereign prince to establish a representative government in his states, and that she was resolved to oppose the exercise of his prerogative, because it was disagreeable to her; she had recourse to pretences so flimsy in themselves, and so inconsistent with fact, that she only exposed herself to the reproach of hypocrisy and double-dealing, without reaping any one of the advantages of concealment. She still shielded herself behind the necessity of waiting the decision of France and Austria, although both of them were known to stand in the most friendly relations to the court of Lisbon. In pursuing this course, she derived no small encouragement from De Moustier, the French minister at Madrid, who, whether

he acted under secret orders from his government, or was the daring instrument of a faction who thought themselves powerful enough to counteract the policy of the ministry of Charles X., gave the utmost countenance to the delays and evasions of Spain. The marquis of Villa Real addressed a note to him on the 10th November, in which he stated, that M. Salmon assigned as the reason for not recognizing the Portuguese government, that neither France nor Austria had made to him any official communication of a similar act of recognition having been performed by themselves, and added, "As your excellency cannot be ignorant that the communications which the duke de Rauzan has made at Lisbon, leave no doubt that his most Christian majesty has recognized the legality of the government established in Lisbon, and as the *chargé d'affaires*, appointed by the infanta regent to your government, has already been presented to his most Christian majesty, I do not hesitate to inform you of the objection which M. Salmon has made to my application, in the hope that you will think proper to obviate them, in so far as regards the opinion of your government with respect to that of Portugal, and will be pleased to communicate to M. Salmon, that the opinion of the king of France as to the changes which have taken place in Portugal, coincides with that of the cabinets of London, St. Petersburg, and Berlin." The Frenchman's answer was evasive and laconic: "Being of opinion that the solution of the very complicated question contained in your letter cannot concern me, I beg you will not take it amiss that I confine myself solely to acknowledging the



receipt of your letter, which I will not fail to bring to the knowledge of my government." This answer proved either that the French government was playing a double part, or that it was betrayed by its servant. It proved that De Moustier had left it in the power of Spain to pretend that his government had not recognized that of Portugal, although he must have known that the king of France had received an accredited agent from that government, and had accredited to it a minister of high rank. It was incredible that his court could have left him so long without instructions ; and, at all events, this urgent application ought to have drawn from him a statement that France was in amicable political relations with the government of Portugal. The plain question, Has your king recognized the government of Portugal? was treated by him as a matter with which he had no concern, and he affected to be alone uninformed of a fact which was notorious to all Europe.

The truth is, that Spain, and the friends of the Spanish policy, were now in hopes that a new insurrection in Portugal would determine the question against the constitution, without exposing Ferdinand to the danger of open war upon the one hand, or to the humiliation of a tardy and compelled recognition upon the other. It was now the middle of November, but, instead of a single Portuguese deserter having been disarmed, the rebel regiments were again equipped for invasion ; instead of being dispersed in the interior, or given up to Portugal, they had been again organised on the Spanish frontier, under the eye of the Spanish authorities ; and Canellas,

instead of being ordered to leave Spain, was directing the plans, and arranging the movements, of the insurgents. The troops now collected for the enterprise were much more numerous, and better equipped, than those who had made similar attempts in August and October. Their plan was to enter, in two divisions, the provinces of Tras-os-Montes and Alentejo at the same time. The division in Alentejo, under general Magessi, was to make its way into Upper Beira, where it would be joined by that of Tras os Montes, under Chaves, which, it was reckoned, would by that time have crossed the Douro ; and then both divisions, uniting in the neighbourhood of Coimbra, were to march upon the capital. They strengthened themselves for their enterprise by a solemn oath, taken on the 11th of November at La Serena, with much religious pomp. After celebrating mass, each company was formed into a circle ; its captain placed himself in the centre, holding in his hand a missal, a crucifix, or a simple cross ; and the men stretching their right hands towards him, swore fidelity in the following terms : " I swear to maintain and defend the lawful rights of the king of Portugal and the Algarves, Don Miguel I., our lord, and to maintain, at the risk of my life, shedding all my blood to render valid and to confirm the proclamation of the same sovereign, and of the regency of his august mother, the empress queen, during the absence of his majesty Don Miguel, made on the 31st of July, of the present year ; and should his august majesty Don Miguel I., die without lawful issue, I acknowledge as his successor of the kingdom of Portugal,



Algarves, the adjacent islands, and the dominions beyond sea, dependant on the kingdom of Portugal, her most serene highness the princess of Beira, Donna Maria Theresa, and at her death (which heaven avert), his serene highness the infant Don Sebastian, Braganza, and Bourbon, her august son, a Portuguese by blood and by birth, and also by the solemn contract of marriage between his august parents; and finally, I swear to defend until death the sacred and lawful rights of the aforesaid royal persons, and never to acknowledge any usurper who may be forcibly imposed upon us, in defiance of the fundamental laws of the kingdom, which bind alike subjects and sovereigns."

The regency was not ignorant of the activity of the rebels, and must have expected a new attack: yet the frontiers were almost defenceless; the garrisons had not been strengthened; no regular system of resistance had been organized; the army, according to the acknowledgment of the minister of war in the Cortes, was in such a state of disorganization, that they were compelled to have recourse to the militia, and to the assistance of Britain; and when the danger came, it surprised them, scarcely better prepared to meet it than they had been in the end of July, when rebellion had first shown itself.

On the 22nd and 23rd of November, one body of rebels, consisting of eight hundred regular infantry, and about two hundred cavalry, accompanied by a large party of Portuguese and Spanish guerillas, entered the province of Tras os Montes in the direction of Braganza, under the command of the marquis of Chaves and viscount

Montealegre. Colonel Valdez, who occupied Braganza with five hundred men of the troops of the regency, marched against them, but, after a sharp action, he was compelled to fall back upon the town before superior numbers; and, unable to maintain himself in the town, he retreated into its scarcely defensible citadel, that he might delay their advance, until the troops of the province could be drawn together. The rebels took possession of the town, and gave it up to plunder. General Claudino, the commander of the province, having too small a number of troops to relieve Braganza, immediately, retired upon Chaves, to await reinforcements. Valdez and his troops held out to the 26th, when they surrendered by capitulation. By the terms of the capitulation, the soldiers were pardoned, unless the king (Don Miguel) should adopt a different determination; the principal officers were to be treated as prisoners of war, and confined in the fortresses, "as the only means of saving their lives, and preserving them from the insults of the people." The rebels attempted in vain to induce the garrison to join them, and the prisoners were marched into Spain, guarded by Spanish lancers; for this body of the rebels uniformly consisted, in part, of Spanish troops. Simultaneously with these movements, the second division, under Magessi, had entered the Alentejo without opposition, and made themselves masters of Villa Viçosa; muskets were distributed among the peasantry by the Spanish authorities on the frontiers; and a park of artillery was preparing to march from Badajoz to support them.

When intelligence of these events



reached Lisbon, the regency could no longer avoid looking upon Spain as having virtually issued a declaration of war. Casa Flores, the Spanish ambassador, was immediately informed that his diplomatic character was suspended, until his court should have given full explanations of such violations of the law of nations, and the faith of treaties; and instructions were sent to Villa Real, to leave Madrid, if the Portuguese government was not formally recognised within forty-eight hours. The Cortes, who were still sitting, suspended the laws relative to personal liberty for three months, and authorized government to suspend and dismiss magistrates and judges at pleasure, without regarding the forms required by the charter. A decree was issued, proclaiming that all volunteers who should join the regular army within twenty days, should have to serve for two years only; the students of the University of Coimbra, who had petitioned to be allowed to embody themselves in defence of the constitution, were formed into a regiment; the Chamber of Peers offered to march in a body against the rebels, and several members actually set off for the frontiers. A law was passed, at the same time, to authorize the formation of a volunteer corps, to maintain internal tranquillity. The marquis of Angija was sent to take the command in the province of Minho, and the marquis of Villa Flor in the province of Alentejo.

But it was on the support of Britain that the chief hope of the regency was placed. The policy of England had all along been marked with much firmness, and much forbearance. It had at once frankly and fully recognized the

government and the charter; it was bound to assist Portugal, if invaded by Spain; and it never concealed that it would hold Spain to have made war upon Portugal, if the former allowed the rebels, who attacked the latter, to be assembled, organized, armed, and equipped, in her territory, instead of disarming and removing them according to treaty. Britain, though not deceived by the promises and assurances of the Spanish cabinet, had hitherto confined herself to remonstrances, patiently waiting till the real share of Spain in active hostilities should be put beyond a doubt; and when this new invasion, so openly concocted and organized under Spanish authority, came as the final fulfilment of so many solemn promises, and the true meaning of so many evasive pretences, there was no longer any room for hesitation. If she did not now interfere, her ally would fall not beneath the policy, but in truth before the arms, of Spain. The remonstrances of the British minister became daily more urgent and menacing; he declared that he would demand his passports, unless justice were immediately done to Portugal. Spain saw herself about to be plunged into a war with Britain, without the aid of a single ally; for France disavowed the conduct of her minister, and even threatened to deprive Ferdinand of the protection of the French troops which guarded his capital. But such was the infatuated obstinacy of the Spanish cabinet, that they still hoped to succeed by promises already proved false, and by orders, which, in defiance of lying assurances, had never been given, or, if given, had uniformly been disobeyed with the knowledge and approbation of the government.



On the 28th of November, when peace and war were trembling in the scale, M. Salmon had the confidence once more to answer a pressing note of Mr. Lamb by lamenting that the Portuguese refugees should have "abused the confidence" of the Spanish local authorities, and assuring him that orders had now been despatched, to send into the interior all the Portuguese then in Spain, not allowing a greater number than forty to remain together at any one station, to admit in future no armed Portuguese, and to send Chaves and Canellas out of Spain under a military escort. Two months before, the same promises had been made, and similar orders had been alleged to have been given: to renew them, as matters now stood, was a mockery. Ferdinand said, he was now willing to disperse the Portuguese refugees in Spain, and send Chaves out of the kingdom; but he knew that neither the one nor the other were any longer in Spain, that his object had been gained, that they were now in arms on the soil of Portugal, and were commencing, under somewhat prosperous auspices, that very war of insurrection to which he trusted for the triumph of his policy, and the progress of which he flattered himself would be too rapid to admit of Portugal receiving timely assistance from Britain. But the season for Britain even pretending to believe in the sincerity of Ferdinand was past; the faithlessness and the designs of Spain were no longer matters of doubt; Portugal formally demanded the aid to which she was by treaty entitled. This new invasion, and the mode in which it had been got up, decided the British cabinet; the government and the people

went hand in hand against the bigotry and despotism of Madrid; and, with a rapidity which Europe had never yet seen displayed by a nation reposing in the indolence of peace, British troops were landed in Portugal in sufficient time to deprive Spain of all she had hoped to gain by sacrificing common sense and common honesty.

After reducing Braganza, the rebels under Chaves advanced towards the Douro, plundering in their progress the towns through which they passed, and ravaging the surrounding country. General Mello retired before them, and on the 1st of December, their head quarters were at Mirandella. The insurrection was now spreading widely in the northern part of the province, among the family dependents and adherents of the marquis of Chaves; and it became an object of the last importance to protect the province of Minho, and cover Oporto. At Oporto the consternation was general. Exaggerated accounts of the strength and success of the rebels, of whom it was reported that they had been promised three days pillage of Oporto, and were exasperated to the uttermost against England, joined to the doubtful fidelity of the troops, although the great mass of the inhabitants were friendly to the constitution, filled the city with alarm. Many of the British subjects residing there, embarked their merchandize and effects, to be prepared to sail on the approach of the enemy. General Stubbs, the governor, was a man of spirit and talent, and of tried fidelity. He made every preparation to defend the city to the last; while the marquis D'Angija, to whom the command of the province had been intrusted, took measures to prevent



the enemy from penetrating into it at all.

The province of *Tras-os-Montes*, bounded on the east and south by the *Douro*, is separated on the west throughout great part of its length, from the province of *Minho*, by the river *Tamego*, a tributary stream of the *Douro*, whose banks, steep, and difficult of access, cover the greater part of the latter province upon the east. The marquis *Angija*, drawing reinforcements from *Oporto*, on which he could always fall back, and from the northern extremity of the province, where only a few troops were left to check any inroads of guerilla parties, occupied the posts along the right bank of the *Tamego*. Generals *Claudino* and *Mello*, who were between *Chaves* and the *Douro*, marched to join him at *Amarante*, where the insurgents must pass in advancing against *Oporto*. The line of the *Tamego* was thus abundantly protected; but the right bank of the *Douro*, from the mouth of the *Tamego* eastward was left unguarded, and it was open to the rebels to march unimpeded into the province of *Beira*: a disadvantage which is much greater in a civil conflict, than in ordinary war; for the moral effect produced in favour of the advancing, and apparently triumphant, party bears no proportion to the ground which they may have gained.

On the departure of the constitutional troops from the opposite bank of the *Douro*, the spirit of disaffection first shewed itself at *Lamego*, an ancient city in which *Alphonso* had first sworn to rule according to the institutions of the national *Cortes*, to whom, in history, it had given its name. Priests, and other political emissaries had

been sedulously preparing the way; and, on the 3rd of December, crowds, assembled in the streets, began to shout the name of *Don Miguel*. The troops of the regency displayed no energy in checking the spreading of the flame; some of them joined in the insurrection; the rest quietly left the city, which now openly espoused the cause of the insurgents. From the pulpits the priests announced that the day of redemption from the sins and miseries of civil liberty was at length arrived: *Don Miguel* was proclaimed king of Portugal, and the treason was consecrated by the celebration of high mass. The most prominent actor in the scene was the marchioness of *Chaves*, who added to the political influence of her husband an enthusiasm in the cause, which he did not possess. She had already headed the insurrection at *Chaves* in the northern extremity of *Tras-os-Montes*; and, now in *Lamego*, she traversed the streets, to harangue and encourage the multitude. Her husband and *Montealegre*, informed of the revolt, abandoned their intention of forcing the line of the *Tamego*, which was now strongly defended, and, having passed the *Douro*, fixed their head-quarters at *Lamego*, where a junta or regency was immediately installed, in the name of *Don Miguel*, the members of which were nominated by *Chaves*. The example of *Lamego* was followed in the eastern part of the province. A band of insurgents appeared in the neighbourhood of *Almendra*; but their exploits were those of bandits; they did no further harm than abusing the magistrates, robbing the public chest, opening the gaols, and issuing treasonable proclamations. At *Guarda*, however, the effects of the



sedition were much more alarming, as shewing that even the militia, a species of force much more immediately connected with the people than the regular troops, were tainted with rebellion. A militia regiment of Guarda, having been directed, on the 8th of December, to take possession of Celorico, were induced, by general Telles Jordao, to mutiny, instead of obeying orders; being joined in their rebellion by another regiment of militia belonging to Tondella, they proclaimed Don Miguel, and installed a junta of regency.

The force, which Chaves and Montealegre had now assembled at Lamego, was estimated to amount to about ten thousand men. General Azeredo, who commanded in Beira for the regency, retired before this superior force upon Coimbra, on the road to Lisbon, until he should be joined by general Claudino, who might now be spared from the line of the Tamego. The rebels advanced as far as Vizeu, but their movements were attended with much delay and hesitation. The road to Lisbon, indeed, was now before them, and rebellion never gains by delay; but if they had advanced, they left in their rear the armies of Angija and Claudino, on the frontiers of Minho, besides the garrison of Oporto. They waited, therefore, till they should be joined by Magessi, with the second body of insurgents from the Alentejo, and contented themselves with a fruitless attempt to force the bridge of Amarante, in which they were repulsed with a loss of twenty-five men wounded, and forty-seven taken prisoners. Magessi, in the mean time, who had entered the Alentejo with a large body of insurgents and Spanish auxiliaries, at the same time that

Chaves and Montealegre had penetrated into Tras os Montes, had been much less prosperous than his brother conspirators. He had made himself master of Villa Viciosa without difficulty, and compelled or prevailed upon the garrison to join him. On the 7th of December he crossed the Guadiana at Monsaras, and marched northward by Terena, Borba, and Estremos, hastening towards the province of Beira, in which disaffection had been expected to break out, and where, at that very time, it had in fact shewed itself by the defection of the troops under Jordao. At Estremos he learned the approach of the marquis of Villa Flor, who had been appointed commander of the Alentejo, and, declining a battle, directed his march towards the frontiers. Villa Flor, however, came up with his rear guard near Portalegre on the 10th; an engagement ensued, in which the rebels were defeated, and lost about twenty-five men, in addition to the troops of the garrison of Villa Viciosa, who seized the first opportunity of returning to their duty. Magessi and his troops took refuge in Spain; Villa Flor remained some days in Portalegre to refresh his troops, ignorant of the motions of the rebels, and only knowing that they had been expelled from the province. In fact Magessi was very skilfully making use of his defeat, and his means of recruiting in Spain, to make this reverse serviceable to his original design of joining Chaves in Upper Beira. When he re-entered Spain, he stationed his army at Alcantara: having there recruited his strength for several days, he made rapid and silent marches northward, along the Portuguese frontier, but in the territory of Spain, till he



crossed it, and suddenly appeared in Upper Beira, in the neighbourhood of Almeida, not far from Guarda and Tondella, where the troops had already rebelled, and with nothing to prevent him from marching straight to Vizeu or Lamego. Almeida, one of the most important frontier fortresses of Portugal, fell into his hands; having been delivered up by the treason of general Elezeario, who commanded during the illness of general Pego.

Immediately on learning this unforeseen movement of Magessi, Villa Flor sent orders to the commandant in Lower Beira to advance from Castello Branco towards Guarda; and he himself, breaking up from Portalegre, crossed the Tagus, and hastened northwards in the same direction. By the 23rd of December he had entered Upper Beira, and immediately drove the rebels from Guarda; where the insurrection in this part of the province had first begun. Some resistance was offered by a body of militia and guerillas, but they were routed, and retreated precipitately to the army of Magessi at Almeida; and on the 25th he had advanced to Celorico. In the mean time, in the western part of the province, general Claudino had crossed the Douro, and was marching upon the Mondego, to join Azeredo, that, with their forces united, they might attack the rebels under Chaves and Montealegre, who, as yet, had not penetrated further into the province than Vizeu. On the 27th of December Azeredo was at Tondella. Thus the troops on both sides had effected their junction about the same time. Magessi had made his way from Alentejo into Beira, and placed himself in communication with the division under Chaves;

and the rebels now held the northern part of the province from Almeida to Vizeu. Villa Flor, following the steps of Magessi, had brought himself into communication with Azeredo; and the troops of the regency occupied the western and southern parts of the province from Coimbra to Guarda. Out of Beira, the province of Tras os Montes was all that the rebels had gained by a month's campaign, and that had been gained in a few days. The force of the troops on the Tamego had prevented them from advancing till joined by Magessi; and now that he had joined them, they had in front of them the army before which he had fled, united to the proper army of the province itself. In few instances had their cause been embraced by the people; no general discontent against the regency and the constitution had been excited; a few military seductions were all they could boast of; the nobility, and the commanders, had proved faithful to the government; and, though itinerant priests were the pioneers of Chaves, the influential dignitaries of the church were so far from taking part with them, that the Patriarch of Lisbon, in a pastoral charge, painted their conduct in its true colours, and called their enterprise by its right name.

So stood matters with the rebels, when the arrival of the troops sent out from England blasted all their hopes, and overturned all their designs. When the English Cabinet decided on equipping this armament, it was fitted out with a rapidity, which could scarcely have been credited beforehand, and furnished an admirable example of the efficiency in which those departments of public service connected with national defence may be



kept, and ought to be kept, by a regular government, even in the midst of peace. The *Pyramus*, the first vessel that sailed from England, arrived at Lisbon on the 25th of December, just two days after his majesty's message to parliament, on the 11th, was known there. The message, and Mr. Canning's speech had been received in Lisbon on the 23rd, the last day of the session of the Cortes, and produced an instant change in the hopes and fears of all parties. The charter did not allow the Cortes to continue their session, and not having time to draw up such an address as would sufficiently convey their high sense of the obligations under which they lay to this country, a vote of thanks in their own name, and that of the Portuguese nation, to the king, parliament, and people, of Great Britain, was voted by acclamation. The speech of Mr. Canning was immediately translated, and sought after with an avidity which the presses of Lisbon could scarcely supply. Six thousand copies were sold in a few hours, and it was spread over all parts of the kingdom in the form of hand-bills.

From the moment of the arrival of the British troops in the Tagus, all hope departed from the rebels; it gave confidence to the government, it disheartened the disaffected, it decided the wavering in favour of the regency. These troops, indeed, were not to be employed in civil dissention, or in defending one part of the nation against another, in an internal struggle about a constitution with which no foreign power had a right to interfere; but the rebels, though Portuguese by birth, were the soldiers of Spain; it was her cause they were maintaining, and by her re-

sources that they were supported. Ferdinand now saw that the continuance of that support must be purchased, notwithstanding all his wiles, at the expense of an open rupture with Britain; that her long forbearance had only been the result of conscious strength; that the firmness with which she decided, and the rapidity with which she executed, proved her to be completely in earnest. At the same time, France expressed very plainly and publicly her opinion of his conduct, and her determination to leave him, helpless and contemptible as he was, to rescue himself unaided from the lion-grasp into which he had flung himself in despite of so many warnings. The possibility of France taking part with Spain was the only matter which could have deserved much consideration on the part of Britain, before taking the resolution of standing forth in defence of Portugal; and the conduct of De Moustier at Madrid had given reasonable cause for grave suspicions of the sincerity of France. But the French cabinet disavowed his conduct by recalling him from his mission; and convinced Ferdinand much more feelingly how little he had to expect from them in the prosecution of his mad career, by recalling likewise the regiments of Swiss guards, which had been given to him for his personal protection at a time when he could not trust himself among his own subjects.

Ferdinand, therefore, finding that France would not support him, and that Britain would not allow him to trifle with her, was compelled to yield ungraciously to necessity what he might so often have conceded with a good grace. On the 18th of December, M. Salmon addressed a note to Mr.



Lamb, in which, after stating his satisfaction that the assurances given in his note of the 28th of November had produced "the happy effects which were to be expected from them."—these effects having been the landing of five thousand British troops in Portugal—he added, that his august master, in order to furnish another proof of his desire for peace "was ready to receive a public agent on the part of his most faithful majesty Don Pedro, as soon as the count de Casa Flores, his ambassador at Lisbon, should be re-instated in his functions." New assurances, likewise, were given of the fulfilment at last of repeated promises and former resolutions, "taking at the same time such precautions as must insure the punctual execution of them:"—a very plain acknowledgment that he hitherto had taken care that these promises and resolutions should be worthless and futile. This note being transmitted to Lisbon, the regency informed count Casa Flores that he would be received in a private audience, and, after that audience, would be considered as re-instated in all his official rights and privileges. But it was added, "the speedy execution of all the promises made by Spain in M. Salmon's circular of the 28th of November, and especially the prompt and total disarming and dispersing of the corps of Magessi, now in the Spanish territory, must be considered as an indispensable part of this conciliation." On the 26th of December, M. Casa Flores was admitted to his audience, and the diplomatic relations between the two countries were again established.

By the first of January, 1827, all the vessels of war in which the

British troops had been embarked, had arrived in the Tagus; but the course of events rendered it unnecessary for them to encounter an enemy. Their presence, besides depriving the rebels of the last gleam of hope, enabled the regency to employ an additional force against the insurgents. It was only in Tras os Montes, and in the upper parts of Beira, that they had been able hitherto to maintain any footing; and even there they had little chance of keeping the field against the troops which would now be opposed to them. Hitherto the commanders of the constitutional forces had been content in a great measure to act merely on the defensive, because any serious misfortune in the provinces might have had the worst effects upon the public mind, and endangered the safety of the capital. But the considerations of prudence, which recommended this line of conduct, were now at an end, and the constitutionalists were at liberty to commence offensive operations. Generals Claudino and Azeredo entered Vizeu on the 28th of December; the rebels, who occupied it as the advanced guard of the insurgent army, having already begun to retire towards the frontier. At the same time Villa Flor was moving against them from the neighbourhood of Guarda and Celorico, and at last they were brought to a decisive engagement near the town of Coruches. The rebels were said to amount to about twelve thousand men, and the troops opposed to them to seven thousand. The battle began at one o'clock in the afternoon on the 9th of January, 1827, and lasted till night-fall, when it ended in the total discomfiture of the rebels: their commanders were among the



first to fly. An ineffectual attempt was made to rally at Almeida, but the panic was universal, and the greater part of the rebels, now informed of the arrival of the British troops, deserted a cause which they had never maintained from principle; and, by giving themselves up to the constitutional commander, endeavoured still to entitle themselves to the benefit of the amnesty, which, in the beginning of November, the Princess Regent had proclaimed to all subalterns and soldiers who should return to their duty before the expiry of the year. Their generals, accompanied by about a thousand men, escaped into Spain, and furnished to the Spanish cabinet another opportunity of proving how little sincere it had been in the assurances given by it on the 18th of December, that precautions would be taken to insure the punctual execution of orders for disarming and dispersing the Portuguese refugees. A body of eight hundred men marched from Ciudad Rodrigo, ostensibly to meet and disarm the fugitives from the battle of Coruches; but instead of being disarmed, they were allowed time to supply themselves with money, and ammunition, and with Spanish arms in the place of those which had been thrown away in their precipitate flight. In a few days they re-crossed the Douro, and entered the southern part of the province of Tras os Montes without meeting with the slightest obstacle from the Spanish authorities. M. Salmon now found it more difficult than ever to satisfy the British minister; he found it necessary to suspend general Longa, who had permitted this new act of hostility, from his command; an inquiry was ordered to be instituted

into the conduct of several local governors; and the cabinet expressed diplomatically its high displeasure at their disobedience to orders which they were said to have received. But the disobedience of Longa had been particularly brought under its notice long before; and, while troops were moving from all parts of the kingdom towards Portugal, under the pretext of preventing any violation of the Spanish territory by the contending parties, all those points, at which it was known the rebels were assembling and arming themselves, and from which their inroads were to be made, were left defenceless. After the defeat at Coruches, Chaves, and the other commanders sent their baggage to Madrid, where it was granted the same privilege with that of ambassadors, and allowed to pass without being examined.

Count Villa Flor having made himself master of Almeida, and the whole province of Beira being thus cleared of the rebels, crossed the Douro into Tras os Montes, whither the fugitives, few and disheartened, had ventured to return. They offered no resistance, and retired to the frontiers. The same bad fortune attended them in the northern part of the province, where the constitutional troops under Angija and Mello, drove them back into Spain, and recovered the town of Chaves. Braganza was now almost the only point which the insurgents retained in the kingdom; their force was completely broken; their hopes were gone; their ally was overawed; and there was no prospect that they would again be able to disturb the tranquillity of Portugal, or endanger the existence of its new constitution.



## CHAP. XIII.

**TURKEY**—*Ultimatum of Russia, regarding Wallachia and Moldavia ; it is acceded to by the Porte—Conferences at Ackerman between Russia and Turkey—Settlement of their Differences—The Sultan attempts to introduce European Discipline among the Janissaries—The Janissaries Revolt—The Revolt is quelled, and the Janissaries suppressed—Fire in Constantinople—Executions—Measures adopted to Reform the Administration.*—**GREECE**—*Engagements between the Greek and Turkish Fleets—Siege of Missolonghi—Attacks and Repulses of Ibrahim—Capture by Ibrahim of Vassiladi and Anatolico—Famine in Missolonghi—Miaulis endeavours to relieve it—The Garrison attempts to cut its way through the Turkish Camp—Missolonghi taken—Military Operations after the taking of Missolonghi—Proclamation of the National Assembly—Measures of the Commission of Government—European Policy in regard to Greece—Piracies committed under the Greek Flag—Finances—Exposure of the Greek Loans—The conduct of Persons connected with those Loans.*

**T**HE Sublime Porte had hitherto obstinately refused to satisfy the demands of Russia, arising out of the measures which the former had thought proper to adopt for the security of Wallachia and Moldavia, in consequence of the disturbances in these principalities in 1821. The threats of Russia, though her army stood on the banks of the Pruth, prepared to overrun Moldavia upon very little warning, were disregarded ; the united remonstrances and advice of other European powers were received with indifference, or treated with contempt, as an officious intrusion of counsel where it was neither wanted nor desired ; Turkey, while the small and ill-disciplined bands of the Morea were scattering her troops, reducing her Grecian fortresses, emancipating

from her yoke her Grecian provinces, and driving her fleets with disgrace to the very mouth of the Dardanelles, was wilfully exposing herself at every moment to be attacked on the north by the most gigantic military power in Europe. She may have thought, that, with its possessor, the throne of Russia had changed likewise its policy, and that the new emperor might feel less powerfully than his predecessor, the almost native desire of modern Russian sovereigns to make the Danube the southern boundary of their European dominions. But, from the moment when Suwarrow gladdened Catherine with his brief despatch that Ismael was no more, that had been too constantly an object of Russian policy, to be easily lost sight of in the mere change of a monarch ;



and to limit the authority of the Porte in its frontier provinces towards Hungary and Bessarabia, is one essential step towards its attainment. Nicholas adopted towards these provinces the principles of Alexander, and, as soon as the crown was fixed firmly on his head, he prepared to assert them with vigour. The total failure of the negotiations of the former year, although the influence of other powers had prevented them from being followed by immediate hostilities, seemed to forbid the hope of the matters in dispute being ultimately settled without an appeal to arms. The sultan pretended that he dared not consent to the conditions demanded in favour of infidel subjects, without running the risk of exciting an insurrection among the faithful. He was probably crafty enough to know, that in procrastination there was not much danger, as the jealousies and policy of Austria and England would not willingly see him pay to Russia, in the shape of a cession of territory, an additional penalty for his delay in giving her satisfaction; and he was apprehensive, lest, if he yielded easily to the demands of Russia and her allies in favour of Christians beyond the Danube, it might encourage them to be equally importunate on behalf of Christians in the Morea. Russia, however, forced upon him the bare and strict question of peace or war. In the month of April, M. Minziacky, her ambassador at Constantinople, presented to the Porte an ultimatum, again setting forth the grounds of complaint against Turkey, the dilatory and evasive conduct by which they had been

met, and the patience and long-suffering of Russia, which her honour, as well as her interest, required should now be at an end. His imperial majesty, it was said, might have considered the negotiations as terminated, after the result of the conference of 13th October, 1825, and might have employed the readiest and most efficacious means to enforce the observance of his own rights, and of the faith of treaties. In holding out the olive branch for the last time, and the addition of another to the many opportunities which had been afforded to Turkey of satisfying his demands, he was only making a new sacrifice to his moderation of temper and love of peace; in doing so, he gave the Sultan at once the strongest proof of friendship, and the best-founded motives for confidence; he had no wish but for a sincere and durable reconciliation between the two powers, by a final determination of all the questions, which, since 1816, had rendered their reciprocal relations uncertain and difficult. He, therefore, once more repeated the preliminary demands which had already been so often made, and as often evaded or refused; viz., 1. That the state of things which had existed in Wallachia and Moldavia before the insurrection of 1821, and, in particular, the number and organization of the provincial militia, should be completely re-established. 2. That the Servian deputies, who had been confined in the seraglio, since 1821, should be set at liberty. 3. That the Porte should appoint plenipotentiaries to meet with Russian commissioners in some town on the Russian fron-



tiers, there to resume the negotiations on all points which had been under consideration between 1816 and 1821, and bring them to a definitive conclusion. These were preliminary points, on the conceding of which Russia insisted as indispensable to the continuance of amicable relations between herself and the Porte. The Porte was allowed six weeks to return a categorical answer; and, if that answer should be in the negative, M. Minziacky was immediately to quit Constantinople. To add force to the demand and the argument, the army in Bessarabia was ordered to be in readiness to cross the Pruth, and to clear the principalities of the Turkish troops. The ministers of the other powers at Constantinople were informed, that the only object of the attitude which Russia was assuming was, to bring to a termination its own differences with Turkey, which the emperor's dignity could not allow to remain any longer unsettled, since the interposition of other states, and his own forbearance, during five years, had led to no satisfactory result.

With a readiness which was any thing but expected, the Porte agreed unreservedly to every one of these demands, and that, too, at a moment when the exultation of success in Greece might naturally have tended to confirm her in her obstinacy and wrong-headedness. In the beginning of May, the Sultan learned the triumph of Ibrahim's arms in the Morea, and the fall of Missolonghi, almost the last strong-hold of the insurgents beyond the isthmus of Corinth. An event which promised to free him from a Greek war on one side, might have been ex-

pected to embolden him in resisting the demands, and what he thought the encroachments, of Russia upon the other. If there was any reality in his apprehensions that the concession of what was asked by Russia might excite revolt among the fanatic populace, he perhaps thought that the moment was favourable to take advantage of the more tranquil and accommodating temper which this signal victory over heretics and rebels might produce, as a hungry lion may be passed in safety while it is gorging on its prey. But the true secret of his change of disposition, or, at least, of conduct, seems to have been in very different considerations. He had already formed plans of internal reform, which he very soon afterwards carried into effect, and which a war with Russia would have rendered impracticable. He could not hasten into the field against such an enemy, at the moment when he was about to subject the whole system of his military force to alterations which necessarily rendered it inefficient for a time, or, as it actually turned out, first to annihilate it, and then to reproduce it. On the 13th of May, the Porte communicated to M. Minziacky its acceptance of the terms of the Russian ultimatum. It stated, that it considered the existence of the *Beschlis Agas*, officers of provincial militia, in Wallachia and Moldavia, as necessary for the maintenance of peace in those principalities; but that, nevertheless, in conformity with the wishes of the emperor of Russia, orders had been given to the governor of Silistria to withdraw the *Bascbbeschlis* and their men



from the other side of the Danube, and the Waiwodes had been directed to appoint others in their place. The Servian deputies would be immediately liberated, and Hadi-Effendi, and Ibrahim-Effendi, members of the Uhlemas, were named the Turkish plenipotentiaries definitively to settle with those of Russia the other matters between the empires which still remained undecided. The Turk was faithful to his word: the Servian deputies were immediately liberated; the withdrawing of the Beschlis could not but wound his pride, but it was immediately executed. To the inhabitants of the principalities it was veiled under the pretext, that, "as the number of the Beschlis in them had been increased in consequence of the civil troubles, and the restoration of tranquillity rendered the presence of so large a number of soldiers unnecessary, it had been thought fit, in order to avoid useless expense, that the Agas should retire with their troops, and that the Hospodar should appoint a Baschbeschli-Aga, commanding a number of Beschli equal to that which existed before the insurrection." Russia, on her part, named the marquis de Ribeaupierre, and general count Woronzov, commissioners to treat with those of Turkey; and Ackermann, a town of Bessarabia, near the mouth of the Dniester, as the place where the conferences should be held.

The questions, which remained to be settled by the plenipotentiaries at Ackermann, were much more numerous than the preliminary points which had been fixed at Constantinople, and did not promise to be of more easy ad-

justment. They regarded principally the restoration by Russia of certain Asiatic fortresses on the Black Sea; the free navigation of that sea by the Russian flag; the repayment to that power of losses sustained by her subjects from the Barbary corsairs, amounting, it was said, to a million sterling; the internal government of Wallachia and Moldavia; and the re-establishment of the independent rights of the Servians. These demands, excepting what concerned the fortresses, went directly to secure to Russia a preponderance fatal to Turkey; and the perseverance, with which she resisted the only demand that Turkey made, sprung from the same policy that rendered her inflexible in imposing her own demands upon the Sultan. As the independence of the principalities, that is, a virtual dependence upon Russia as their protector against a Mahomedan government which they disliked, gave Russia, in any attack which she might make upon her neighbour, all the immense aid to be derived from civil commotion, so the possession of the strong-holds, and navigation of the Euxine, gave a thousand facilities to actual invasion. In the hasty peace concluded between Russia and the Porte, in 1812, the minister of the former consented to restore to Turkey, Anape, Anagri Poti which commands the entrance of the Phasis, and Soukom Kale, and Redoute Kale, two ports on the Black Sea, the one on the side of Abasia, the other on that of Mingrelia. The court of St. Petersburg was said to have been highly offended with the cession, and to have sent orders to her generals to defer, at least, the re-



stitution ; some of them had been given up before these directions arrived ; Anagri was afterwards amicably abandoned to Turkey, but Soukom and Redoute were still in the hands of Russia. The latter was determined not to surrender them, miserable fortalices as they were, because they carried her frontier to the sea, and were almost essential to its navigation ; for she could with difficulty maintain the station which she had established for herself on the eastern shores of the Euxine, if her vessels were not allowed, in severe weather, to take shelter in the bays of those two harbours. The Sultan, again, was equally resolved to recover them, both because policy required of him to prevent, if possible, a powerful enemy from fortifying himself on his very frontiers ; and because they were the great entrepôts of the trade which brought the beauties of Circassia, Mingrelia, and Georgia, to the harems of Constantinople.

Pretensions so discordant, maintained with equal obstinacy on both sides, seemed to threaten a rupture at the very opening of the conferences ; the Turkish commissioners spoke of leaving Ackerman, and those of Russia sent to their court for further instructions. Russia, at length, yielded the point as to the fortresses, but insisted with so much the greater pertinacity in every one of her own demands. As in the negotiations at Constantinople, her determination was shewn in the form of an *ultimatum* ; the Sultan was called upon to answer yes or no to her demands within a limited time ; a refusal, a delay, an evasion, was to be the signal for her armies cross-

ing the Pruth. When the Reis Effendi received the despatch containing these terms, he exclaimed, “ they have a mind to put a knife to our throats ! ”—and so they had. It was only by fear that Russia was working upon Turkey, the only motive which Turkey had hitherto appeared to acknowledge, and the moment was peculiarly favourable to its influence. Mahmoud was much less able to turn the knife from his throat by force in September than he had been in May ; Constantinople was flowing with the blood of his own Janissaries, mowed down by his own cannon ; he had destroyed his old army, and was only preparing the rudiments of a new one ; a military rebellion had scarcely been suppressed in the capital, and revolt was to be apprehended from the Janissaries and their adherents in the provinces. To have provoked the invasion of a Russian army in such circumstances, when only the fanatic fury of the populace could have prevented it from marching to Constantinople, would have been madness ; and Turkey yielded, with the best grace she could, to all the demands of her imperious adversary. The treaty of Bucharest was confirmed in all its parts, as were all existing conventions relating to Wallachia and Moldavia. Russia consented that these principalities should be governed by boyars, natives of the country, it being provided that the choice should be made by the divan of each principality, and confirmed by the Porte ; and even her demands regarding the internal administration of these provinces, in the levying of taxes and ground-rents, and the remission of the latter for two years,



were acceded to. Turkey further bound herself to restore to the Servians, within a year, all the rights and privileges which their deputies had claimed; freedom of trade, permission to travel with their own passports, freedom of religion, equal in the administration of justice, the establishment of schools and printing-offices, the exclusion of Turks from Servia, except garrisons in the fortresses; every thing, in fine, short of a recognition of independence, which could tend to separate the Servians from the Porte, leaving them to regard Russia as their saviour and protector. There was added the general stipulation, that every demand to be made by the Servians, and not incompatible with the duty of good subjects to the Sultan, should be granted. The Porte and the Servians were not likely to agree in what were the duties of christians as good subjects towards Mahomedan rulers; and Russia stood by to profit by their disputes, and encourage her protégés. Turkey engaged, within two months after the claims of Russia, for losses occasioned since 1821 by the corsairs of Barbary, should be given in, to make them good out of the imperial treasury, if the potentates of Africa refused to do so themselves, after firmans should have been directed to them for that purpose. The re-shipment of goods in the ports of the Black Sea was confirmed, and the free passage of ships under the Russian flag was guaranteed.

Stipulations so hurtful to the pride, and injurious to the interests, of Turkey, extorted, too, by compulsion, at a moment when resistance was impossible, were not

likely to be entered into with much sincerity, or to be observed longer than till they could safely be disregarded. In the mean time, however, Russia, in the midst of peace, had secured almost every advantage which, in the existing state of Europe, she could have promised herself from open war. She had not only obtained the confirmation of all that was secured to her by the treaty of Bucharest, but fresh conditions had been imposed, calculated to consolidate her interests, and extend her influence; she had gained largely, and yielded sparingly in return. She restored, indeed, the Asiatic fortresses, and conceded some minor points relating to the internal government of Wallachia and Moldavia; but the convention of Ackermann thus engrafted upon the stipulations of former treaties, was a precedent which, in future disputes between the two countries, might be made the point of departure for another stride towards the attainment of that unchanged, and unchanging, object of Russian policy, the extension of its dominion to the banks of the Danube, if not to the shores of the Mediterranean. Each successive struggle, whether of arms or negotiation, had ended, like this, in narrowing the circle, and beating down the outworks of the Ottoman empire; exciting no jealousies, alarming no fears prematurely, but awaiting, and preparing, a crisis, when, in the fulness of time, Turkey should be as an infant wrestling with a giant.

If such a destiny was preparing for Turkey in the cabinet of Russia, nothing could have been better fitted at least to delay it, than the revolution which the



Sultan now attempted to effect in the military force of the empire, by subjecting it to sterner discipline, and training it to European tactics. The Janissaries had been, for centuries, the main body of the Ottoman army, and for at least an hundred years, the masters of their Sultan. In them resided the true power of the empire; like the Prætorian bands of ancient Rome, they disposed of the crown at their pleasure, and, like them, they bestowed it, not upon the most worthy, but upon him who was most profuse of his largesses, and most observant of their prejudices and rights. Bold in their numbers, proud in the exclusive privileges, which belonged even to the meanest of their body, they formed a sort of military democracy, of which both the Sultan and their fellow subjects were slaves. The Sultan himself was only their comrade and brother, and his companions belonged to the dregs of the populace. The daily pittance of soup to which every Janissary was entitled, was a sufficient bribe to crowd their ranks with the most degraded victims of idleness and vice. Christian renegades, jews, pagans, criminals themselves, were the recruits of this chosen band, which, once the pride and the prop of the crescent, had become its disgrace and its curse. While they ruled the empire within with a rod of iron, they had become utterly ineffectual for its defence. Addicted to every vice, even their ancient valour had disappeared; discipline was unknown to them; insubordination was the very instrument by which they ruled. Had they even been obedient and brave, their prejudices would have unfitted them for being efficient

troops in European warfare. The same fanaticism which bound them to their religion wedded them to the cumbersome and imperfect system of oriental tactics; improvements in the art of war were resisted with tumult and revolt, like heretical innovations upon their faith; the manœuvres of an European army they could neither understand, nor practise, nor counteract; their arms, and the modes of exercising and wielding them, continued to be what they had been centuries before. Bringing into the field no one appurtenance of a soldier, military or moral, but the gaudy trappings of barbaric magnificence, and the undisciplined fury of religious antipathy—and ruling, when at home, by revolt and riot—they were useless for defence, and the bane of all regular and efficient government. The Sultan, who should disband them, re-model his army, and reduce it to a state of well-trained discipline, as well as lead it into a course of military improvement, would at once free himself from subjection to a rabble, and be entitled to the gratitude of the empire.

But the attempt was surrounded with dangers. To interfere with the privileges, restrain the licentiousness, oppose the pleasure, or alter the customs of the Janissaries, had more than once cost a Sultan his throne and his head. The first attempt to introduce European discipline had been made by the former Sultan, Selim. The nucleus of the force which he endeavoured to establish, and which was termed *Nizam-gedittes*, or soldiers of the new regulations, was formed of the wrecks of the garrison which so bravely defended St. Jean d' Acre.



When this new corps took the field in Bulgaria and Romelia, for the suppression of the numerous banditti that infested these provinces, their superiority over the Janissaries was speedily seen. They defeated the mountaineers in numerous conflicts, routed them effectually, and finished, in two months, a task, to which the Janissaries, backed by the household troops of the Pachas, Sanjacks, and Ayans, had never been found equal. Their success rendered the advantage of the European discipline indisputable; they were handsomely remunerated; and means were adopted for augmenting their number, by a kind of conscription, principally for the purpose of curbing the turbulent Janissaries. The jealousies, however, of the latter, and the prejudices of the people, roused so general a fermentation, that the order of the Sultan could not be executed. Successively attacked by the Janissaries, the Oulemas, the Yamacks, and the Topschis, the Nizam-gedittes suffered the fate of all establishments made inopportunely. Selim was, in 1807, obliged to suppress them, after having witnessed, with his own eyes, the massacre of all those ministers and counsellors who were suspected of being their partizans. His own dethronement immediately followed; Mustapha was proclaimed emperor, and his elevation was the signal for the dispersion of the Nizam-gedittes. Their barracks were plundered, and the object of the institution was abandoned until the succeeding year, when Mahmoud, the present Sultan, mounted the throne. Mustapha Bairactar, who was then vizier, had perceived, in his last

campaign with the Russians, the advantages inseparable from European tactics. To compose a regular army, he began by attempting to introduce reform among the Janissaries themselves, and several companies of Seymens, that is, select soldiers, were immediately formed. Unfortunately Bairactar, was, of all men, the least adapted for gaining proselytes to his own plans. Instead of alluring the Janissaries, who came to offer themselves to be enrolled among the select soldiers, by presents and caresses, he treated them with insufferable arrogance, refused them all peculiar privileges, and acted, upon the whole, as if his wish had been to oppose, not to further, the measures which he himself had recommended. The consequence was, that the new corps fell into speedy contempt. Bairactar, after rendering himself detested by all, was murdered in one of the most serious insurrections of which Constantinople has afforded an example; the Seymens were abolished, as the Nizam-gedittes had been before them; the discipline of the Franks seemed for ever renounced; and an anathema was even denounced against those who should propose the revival of any plan for its adoption.

But recent events had taught Mahmoud and his counsellors the necessity of reform still more feelingly than it had been felt by his vizier and his predecessor. The pliancy with which he found himself compelled to bow before the threatening attitude of Russia, impressed him painfully with the sense of his weakness; and the success of the Greek insurgents was still more irritating to pride



and ambition. These bands, formed in haste, ill-accoutred, and worse paid, wielding, indeed, European arms, but with only a scanty portion of regular European discipline, had yet been able to rout his best commanders and most trust-worthy troops, and compelled him to send to Egypt for the dangerous aid of Ibrahim. The career of the latter, from his arrival in the Morea, had tended no less to convince and determine the emperor. Ibrahim brought with him troops trained to European discipline by European officers: his course had been one of almost uninterrupted victory, and he had just wrested Missolonghi from the Greeks, leaving to them little prospect of safety but in submission. Mahmoud resolved to attempt again to remodel the Ottoman army, and he conceived that both the violence and imprudence of Bairactar, and the too facile disposition of Selim, might be avoided. Even superstition, or the priests of superstition, was now in some measure upon his side; the ulemas themselves saw the rapid decay of the national strength, and the increasing dangers of the Mahommedan faith, in the necessity in which the empire had found itself of yielding implicit compliance with the imperious demands of the unbelieving Czar of Moscow. He did not act hastily, without a plan, but prepared his measures with much precaution. He visited the garrisons on the Bosphorus to be satisfied as to their fidelity; he assured himself of the hearty co-operation of the dignitaries of the empire, and the heads of religion; and he found a zealous and able supporter of reform in the Seras-

kier Hussein Pacha—a man of great decision of character, a favourite too of the people, because he had always been successful. The emperor gave the first public indication of his intentions by increasing the number and pay of the corps of Topschi, or artillerymen, a corps amounting to nearly fourteen thousand men, which had been formed some years before, and always maintained, upon something like an approach to European principles, and of which Hussein Pacha had the command. The predilection shewn in their favour made them objects of jealousy and dislike to the Janissaries, which instantly became mutual, and only bound them more firmly to the fortunes of their imperial master, whose fall would be the signal for their own destruction. In the beginning of June, Mahmoud promulgated his regulations, and commenced the formation of his new army, by ordering the enrolment of a certain number of men out of every company of Janissaries, to be drilled to European exercise and manoeuvres. Their pay was raised: to conciliate their hatred of innovation, an old name, signifying organized light troops, was taken from the ordinances of Soliman the great, whose military regulations, as he had first given them the perfect organization which they once boasted, were esteemed sacred as the precepts of the Koran. Their uniform was selected with the same views, and whatever might recal any idea of the Nizam Djedid was carefully avoided. To all appearance the chiefs of the Janissaries, as well as the greater part of the men, were disposed to ac-



quiesce in the change; the former had bound themselves to the adoption of the new system by oath; it was supported by all the influence of the Ulemas, formerly the most bigotted enemies of innovation, and united with the cause of their religion by a solemn act of consecration, performed with much pomp in presence of the troops, and a large concourse of the people.

But, amidst the calm, symptoms of discontent, threatening an approaching storm, were distinctly visible; and the Sultan soon found that the precautions he had taken were any thing but superfluous. The Janissaries incorporated into the new regular troops showed, in the performance of their new exercise, a resistance to their officers, which plainly betrayed a smothered fermentation. The first traces of it manifested themselves on the evening of the 14th of June, by several groups of the Janissaries being seen assembled at different points, as if prepared to take part in some general enterprise; and, in the night between the 13th and 14th, it became an open revolt. A troop of the mutineers proceeded, after midnight, to the hotel of the Aga of the Janissaries to murder their general in chief; but he had found time to escape to the palace of the Porte. Having failed in their principal object, they indulged their rage by pillaging the house of the Aga, and outraging his family. They then proceeded to the residence of Nedschib Effendi, the agent of Mohammed Ali Pacha, who had recently returned from his mission in the Morea, and who, as one of the most ardent admirers of the new order of things, was particularly hated

by the Janissaries. They did not find him, but his house was pillaged, and its inmates abused with barbarous cruelty.

In the mean time, the principal body had directed their march towards the palace of the Porte, for the purpose of surprising the grand vizier. He having received intimation from the Aga, had withdrawn from the palace, with his family, and retired to a pavilion of the Sultan's, situated near the seraglio, on the side of the harbour. It was here that the partizans of the government assembled, by degrees, while the rebels were occupied in pillaging the palace of the Porte, or, dispersed among the wine-houses, were indulging in the grossest excesses.

At day-break the Janissaries who were in the barracks, assembled in the square of Atmeidan, situated in the centre of the barracks, and well known in previous revolts. Thither they took their camp-kettles, and caused proclamation to be made by criers, that every Janissary should repair to the place of general rendezvous. A like summons was addressed to the Tschebedschis, or cutlers, in the neighbourhood of the mosque of Santa Sophia; but it was evaded by the superintendent of these men, under various pretexts.

Government, however, was not inactive. On the first intelligence of the seditious movement, the sultan Mahmoud left his summer palace, on the European side of the Bosphorus, for the purpose of returning to the seraglio. In a short time the ministers, the heads of the departments, the Mufti, and the principal Ulemas,



assembled at Zali-Koschk, round the grand vizier. Immediately after, the Aga, Hussein Pacha, commander of the camp of observation on the European frontier, and Mohammed Pacha, commander of the Asiatic camp, arrived with a large body of troops, among whom were many battalions of cannoneers and bombardiers, with pieces of ordnance from the battery of Tophana. A considerable force was assembled at the same time under the eye of the Sultan, who, in military uniform, directed the arrangements in person, and it marched towards the Hippodrome or Atmeidan. The customary prayers in times of disturbance were put up, and the sacred standard of Mahomet was brought forth from the Treasury, and unfurled—a summons to all good believers to arm in defence of the religion of the prophet. A proclamation announcing the call was published, at the same time, by criers in all the quarters of the city and suburbs. Numerous armed groups came from all parts of the Atmeidan, encouraged by the intrepidity of the Sultan and the warlike ardour of Hussein Pacha, and vowed to defend the Sultan and the throne to the last drop of their blood.

The same appeal was addressed to all the mutineers. Three times they were summoned to repair to the standard of the prophet. They indignantly rejected all summons, and answered, that they would not submit to the will of the Sultan, until the new regulations should have been abolished, and the heads of the grand vizier, of Hussein Pacha, of the Aga of the Janissaries, and of Nedschib-Effendi, were delivered

to them. Enraged at the demand, and very different from his predecessor, Selim III., who was the victim of his weakness, Sultan Mahmoud ordered Hussein Pacha to march with all the troops at his disposal against the rebels, whom a fetwa from the Mufti had put out of the protection of the law. Hussein Pacha, at the head of several thousand men, marched rapidly against the rebels, who could not resist the impetuosity of his attack. They retired on the Atmeidan, and flung themselves into the barracks. Cannon shot and bomb-shells burst upon the strong-holds of the revolutionists; after a short struggle the rebels were defeated; a dreadful slaughter ensued in the barracks, which were set on fire, the conflagration extending to some neighbouring houses. The number of the rebels killed amounted to between two and three thousand, including those who perished in the fire: the loss of the troops of the Sultan was comparatively small. In the barracks considerable treasure was found, which was given as booty to the conquerors. The fugitives were pursued in all directions, and those who threw themselves into the stone buildings about the Adrianople gate, and the Seven Towers, were compelled to surrender.

In the mean time, the cabinet held its sittings beneath tents on the Atmeidan, under the presidency of the grand vizier, Hussein Pacha, and the Mufti, and formed a tribunal to try the rebels. All the Janissaries who had been taken with arms in their hands, but principally their Ustas, and other officers who had formerly



sworn to adopt the reform, were, after a short interrogatory, executed; the less culpable were put into the prisons of the Bostangi-Baschi.

The state reasons for proceeding slowly with reform, and veiling its features under the mask of old names, had now disappeared; and, on the 16th the Sultan issued a proclamation, formally abolishing the corps of Janissaries for ever, and devoting their name to execration as habitual rebels. In this proclamation he described them with much accuracy, and showed that the Porte both knew well where its weakness lay, and felt deeply the mortifications to which that weakness exposed them. The Janissaries, said Sultan Mahmoud, who had formerly gained so many victories, and conquered so many countries by their courage in attack, and above all, by their blind obedience to the orders of their master, had insensibly degenerated, and become cowardly and mutinous. These troops, in the wars which had been carried on for a century past, had despised the orders of their chiefs—had been seized with consternation from the slightest causes—had spread terror by false news—quitted their ranks, and shamefully fled before the enemy, abandoning to them the fortresses and provinces. During this time, the enemies of the faith, considering this degeneracy and cowardice as equally to be attributed to all Mussulmen, had not ceased daily to importune the Porte with fresh pretensions and demands. On the other hand, considering that the whole nation was bound by law to arm itself with the zeal of

the faith, and to find means to resist, under the auspices of religion, the enterprises of the enemy; that it had convincingly shown, in the late wars, that the enemy owed his superiority only to the exercise to which his troops had been accustomed; that since the wars of 1202 (1787), attempts had been twice made, to introduce that exercise into the army; that the corps of Janissaries had shown itself unfavourable to the military manœuvres, had disapproved, and always opposed, them; and that several sovereigns, who deserved to live as long as the world, had been the victims of the obstinacy and the ferocity of this corps;—he decreed that the name of Janissary should no longer exist, and ordered the formation of regular and disciplined troops under the name of askeri-muhammedije, for the defence of the empire and Islamism. No one was allowed to appear in the dress, or to bear the name, of a Janissary. All their barracks were demolished; their camp-kettles, which had so often served as a signal of revolt, were broken; their distinctive marks of ortas, or regiments, were taken away, trampled under foot by the Mufti, and destroyed; in fine, every thing was annihilated, that belonged to this once formidable militia. All the posts hitherto occupied by the Janissaries were delivered up to artillery men, or bostandschis, and at the twenty-four gates of the city were established as many Kahidschi-baschi, with a guard of twenty-five men of these troops.

The only further resistance to be apprehended was what might be made by the Yamaks, who garrisoned the castle on the Bosphorus,



celebrated in former insurrections of the Janissaries. But these troops remained perfectly tranquil, and even declared that they were disposed to assist the Sultan with all their force in putting down the sedition. The grand seignior thanked them for their loyalty, and sent a present of three hundred purses, to be divided among the garrisons of the castles. Every body of men that had been more particularly connected with, or dependent upon, the Janissaries, was pursued with stern vigilance, and disabled from becoming dangerous. The class of *hamomals*, or porters, who, for the greater part, were enrolled upon the list of Janissaries, and had shewn, upon all occasions, a disposition to pillage, and particularly during the late troubles, were excluded from the tribe of porters. Their chief was executed, and they were banished from the capital. Many thousands of them were conducted to the coast by an escort of soldiers, and shipped off for Asia. Each received a passport, containing an express prohibition against returning to Constantinople. The Kurds were treated in the same manner. The greater part of the pumpers were banished, their chief executed, and both these classes were in future to consist of Armenians.

The numerous class of watermen also, who were mostly Janissaries, underwent some reform. Similar regulations were extended to the Janissaries who acted as guards of honour, or couriers, to the different foreign embassies. The government deprived them of their distinctive badge as couriers, and in future no other

than Tartars of the Porte were to be employed in that capacity.

During these tumultuous scenes, the Sultan himself displayed much energy both of purpose and activity, and sternness of execution. It was only by the entreaties of his attendants that he was prevented, on the 15th, from putting himself at the head of the troops who were to act against the mutinous Janissaries. A strict search was kept up in Constantinople after such of the rebels as had escaped the volleys of the artillery, and the conflagration of the barracks, and no mercy was shewn to them when discovered; they were hurried to the Hippodrome, and, so soon as they were identified, were handed over to the executioner. Death was denounced, too, against all who should harbour these proscribed individuals, and the banishment of every man against whom even suspicion was entertained, secured the tranquillity of the capital and its environs. The total and instant failure of the main body of the mutineers in Constantinople over-awed and disheartened their brethren in the provinces. An insurrectionary movement which took place at Adrianople, was put down without difficulty; the governors of the fortresses along the Danube were faithful to the Sultan, and their garrisons submitted to his will without resistance. A firman was sent to every province, to be read publicly by the imams in the mosques, explaining the state of affairs, and the object of the recent changes; they were enjoined to make known to the people, that the only thing intended by the dissolution of the Janissaries was the necessity and the desire of reviving religion, of



fortifying the Ottoman power, and of ameliorating Islamism ; that for that purpose the institution of the corps had been changed, and disciplined troops, under the denomination of the " Victorious Troops of Mahomet," substituted in their place. " Let all," added the firman, " who live obedient to God and his holy book, offer their thanks to the Great Being for this happy event, live peaceably under the protection of the most powerful Padischah, who is the shadow of God upon earth, and never cease to join their prayers with his in calling down the blessing of Heaven. Finally, whoever shall act contrary to this recommendation, shall be punished both in this world and the next."

In the mean time the formation, and exercising of the new army, were prosecuted with unremitting vigour. In every quarter of Constantinople, soldiers were to be seen at drill ; Egyptian officers were brought as instructors from the army of Ibrahim ; and proud Turks, who were wont to treat Egyptians with sovereign contempt, now quietly submitted to become their pupils. The commanders were industriously searching every where for information, and for European treatises on the art of war ; and translations of them were ordered and executed with the rapidity which terror inspires. The Sultan himself frequently attended at the drills, and encouraged the men by his approbation, and by rewards.

Violence does not seem to have formed any part of the original plan of Mahmoud in effecting this revolution ; but when his wrath and appetite for blood were once roused by resistance, no respite

was given to the bow-string and the sabre. Every rumour of new plots forming by old friends of the proscribed troops, every expression of discontent by the populace at being excluded from their coffee-houses, which had been shut up, as favourite retreats of the Janissaries, was the pretext and the signal for new executions ; the Sultan strangled and beheaded without mercy and without discrimination. A fire which broke out in the capital on the 31st of August, and burned for thirty-six hours, laying great part of it in ruins, and of which it was doubtful whether it was the work of incendiaries or of accident, aggravated still further his vigilance and revenge ; and the proclamation which, on this occasion, was issued against the seditious, was a frank avowal of the wiles of the Turkish police, and the secrets of Ottoman *espionage*. " Persons are found," said the proclamation, " so devoid of reason and religion, as to wish to create disturbances ; to these violators of the peace are joined the wives of those who have been exiled or put to death, who go about spreading all kinds of false reports, with respect to the intentions of the government, and alarm even the tranquil and honest part of the community. Instead of prayer and humiliation, which were suitable, after so dreadful a visitation as the late fire, these persons, who are destined to destruction here and hereafter, listening to nothing but the suggestions of the devil, indulge in anger at the decrees of Providence, and in hatred of the Sublime Porte. Their seditious designs have not passed unnoticed ; and for their repression, men so dis-



guised as not to be discovered, are appointed to visit every quarter of the city; women also are appointed for similar purposes, and whoever, in future, is found spreading sinister or false reports respecting the government, shall be seized on the spot, and punished without delay or mercy, whatever be their rank." The punishment denounced against disobedience was, that men should be put to death upon the spot where they were seized, and women strangled, and thrown into the sea. Mahmoud was not a man to let such "sharp laws and biting ordinances" sleep unused. Almost daily, men and women, whose only fault was that of speaking "of forbidden things," were hurried to execution, and still more of these atrocious barbarities were perpetrated in the secrecy of the night.

The greatest difficulty in the way of the Sultan arose from the identity which Turkish prejudices and habits of thinking had established between old customs, and their religious faith. He was supported indeed by the ulemas, the muftis, and the imauns; but even their authority failed to convince the populace that the innovations which had been introduced were justified by the Koran; and this spirit of unbelief supplied a constant stock of materials, on which the discontent of the suppressed Janissaries might work. Another fire, on the 11th of October, the presage of new horrors, had scarcely been extinguished, when the spies of the Seraskier gave him information that meetings took place at the houses of the keepers of the royal sheep-folds, which belong to the Janissaries, and to which no attention

had been paid at the period of the commotions in June, as they were then perfectly quiet. Two thousand five hundred disciplined troops were immediately sent against those sheep-folds, and against nearly three thousand individuals, who formerly belonged to the Janissaries, and amongst whom were found a number of workmen and cooks belonging to the seraglio. One thousand five hundred of them were executed, the remainder were sent to Asia. It was discovered by the confessions of those men, that a conspiracy had been organised by the former Janissaries, who were to assemble in great numbers on the Asiatic side, for the purpose of forming a junction with the malcontents of the capital, while the fire was occupying the attention of the grand signior. As soon as the Sultan learned these particulars, he sent to the pacha of the Asiatic shore orders to exterminate the Janissaries whom he might find there.

The fermentation produced by the humiliating part which the nation of the faithful found itself compelled to act at Akermann, produced new disturbances; the populace regarding it as a disgrace brought upon the crescent by the irreligious innovations of the Sultan, which had deprived the empire of its old defenders at the very moment when they were most needed to repel insult and aggression. Order was restored by the usual expedients of indiscriminate beheading, strangling, and drowning—scenes, of which the details and repetition would be tedious and disgusting. Mahmoud sat upon an uneasy throne; but, amid the executions which



went on around him, he did not relax his efforts for the creation of his army, and amused himself with reviews. By the end of the year there were upwards of twenty thousand regular troops in Constantinople and its neighbourhood. Extensive barracks were rising all around; arsenals and manufactories of arms were established; and superior officers were successfully employed in introducing the new discipline into Romelia, and the Asiatic provinces.

Such a period of civil disorder was not favourable to civil reform, an object at all times contemptible in the eyes of a Turkish Sultan: yet Mahmoud manifested some symptoms of a desire to introduce justice into his administration, as well as discipline into his army. In the beginning of August four firmans were issued, the first of which put an end to the practice of confiscating the property of Turks or Greeks capitally punished by order of the Porte; prohibiting all mollahs, cadis, &c. from interfering in any way with his succession, if the condemned person should have heirs arrived at majority, but allowing their interference where the heirs were minors, in order to preserve the property for them. They were to receive, in lieu of all demands for their trouble in this respect, two and one half per cent on the amount, instead of ten per cent, and expenses, amounting to more than twenty per cent, which they used to exact. The second firman strongly recommended to the mollah, or cadi, the utmost impartiality in the distribution of justice; the rigorous prosecution of all false witnesses, and of all who should practise chicanery

against their opponents, that the parties might be saved the useless expenses to which they were often subjected.

If, for endeavouring to renovate the military vigour of the Turkish empire, the Sultan Mahmoud was entitled to the thanks of the Ottomans, his reforms promised no good to the insurgents of Greece, whose cause, during the year, had been retrograding. In Western Greece, which was the principal scene of conflict, the Greeks, under general Goura, had made themselves masters of Salona, an important strong-hold, in the month of November, 1825. In consequence of this success, the Seraskier Redschild found himself compelled to retire northward from before Missolonghi to Vrachori, in order that he might insure his communications with Arta. Ibrahim, likewise, weakened in troops, withdrew his men from the interior, excepting a strong garrison left in Tripolizza, and awaited the arrival of the reinforcements which were on their way from Egypt. The combined Turkish and Egyptian fleets, having these reinforcements on board, to the number of about eight thousand men, appeared in the waters of the Archipelago in the beginning of November. Miaulis was endeavouring to assemble the Greek fleet at Cerigo, for the purpose of intercepting them; but unexpected difficulties and disputes prevented him from being joined by the squadrons of Spezzia and Ipsara; and he found himself compelled to sail with the Hydriot vessels alone, for the gulph of Lepanto, both to prevent, if possible, the undisturbed dis-



embarkation of the Egyptian succours, and to impede, at all events, the complete blockade of Missolonghi by the Turkish fleet. He fell in with a large division of it, off Chiarenza, near the mouth of the gulph, on the 25th of November, which attacked him both on that and the following day. On both occasions he repelled them, with no other loss than that of a vessel which accidentally took fire; but his inferiority in point of strength, his force amounting to little more than half of that of the enemy, and especially the absence of the Spezziot fire-ships, rendered it impossible for him to make any impression upon their fleet, or prevent it from entering the gulph. It reached Patras, and re-inforced Ibrahim's army by landing six thousand fresh troops. With part of these succours, Ibrahim immediately sailed up the gulph, and, effecting a landing on its northern shore, marched to oppose a Greek force under Goura and Draco, which the government, on learning the arrival of the Egyptian fleet, had ordered to advance from Salona to the relief of Missolonghi. His troops, under Mohanem Bey, met, and defeated them, although without any serious loss, while his naval armament destroyed a number of small vessels, and captured a considerable quantity of provisions and ammunition. He then returned with his booty to Patras, and, having re-inforced the Seraskier, who had again advanced, they proceeded together to press the siege of Missolonghi, while the fleet blockaded the entrance to its harbour.

Missolonghi, the last hope of the patriots in Western Greece, had already, at the beginning of

1826, stood out a siege of eight months. Its garrison was small, but determined, or rather, desperate; the failure of so many attacks, and their long resistance to so many Turkish bombardments, had given them confidence: want of provisions was the greatest danger which they had to apprehend. The approaches on the land side were in the hands of the besiegers; the harbour was blockaded by the Egyptian fleet; and, if the latter were allowed to remain masters of the gulph, Missolonghi could not be saved from being starved into a surrender. Miaulis, who had found himself too weak to prevent the enemy's fleet from entering the gulph, or to undertake any thing decisive against it when there, had returned to the south, leaving his fleet cruizing between Zante and Chiarenza, to clear away the difficulties which had prevented him from being joined by the Spezziot and Ipsariote vessels. In this he succeeded, and the united fleet appeared off the gulph of Lepanto on the 20th of January. On the 22nd, an engagement took place between divisions of both fleets, but they separated without damage on either side, the violence of the easterly winds making it impossible for them to keep the line of battle. On the 27th, the Turkish fleet, which was generally at anchor off Patras, again bore down upon the Greek squadron; the latter stood out to sea, to gain a more advantageous position; then engaged, and, after a sharp action of some duration, compelled the Turks to return to Patras, with the loss of a frigate and a corvette.

These partial engagements, however, were of little lasting effect



in relieving the besieged town, for they failed in the only thing by which they could assist it, the raising of the blockade of the harbour. The Turkish fleet was too strong to be driven from the gulph, although, so long as Vasiladi, a small fortified island, commanding the mouth of the harbour, was in the hands of the Greeks, the enemy could not entirely stop the entrance of provisions into the town. On the land side, no more vigorous attack was made during the month of January, than what consisted in throwing a few shells, or firing a few shots from the batteries. Ibrahim, with his usual caution, from the landing of his Egyptian reinforcements, had been preparing for a vigorous and general attack, in which he trusted for success to the European discipline of his own troops, and the talents of the European officers, principally French, Neapolitans, and Piedmontese, who directed his artillery. By the end of the month, every thing was nearly in readiness; but, before the attack took place, the captain of a British ship of war, the *Rose*, was made the bearer of a message from the capitan pacha to the garrison, in which he informed them that, in eight days, the preparations for the assault would be completed, but that, desirous to save the effusion of blood, which would necessarily ensue if the city should be taken by storm, he wished to know, whether the garrison was willing to capitulate, and if so, what terms they demanded? The answer was, "The capitan pacha knows that the Greeks have suffered losses without end, have

shed much of their blood, have seen their habitations destroyed, and their country laid waste; for all which nothing can indemnify them but liberty and independence. With regard to the assault which he threatens to make within eight days, we are ready to receive it; and, fighting with God on our side, we trust we shall be able to frustrate and repel it, as we did that of the Seraskier, in July last.

"For the rest, he is well aware that we have a Government, in obedience to whose orders we fight and die:—to that government, therefore, he may address himself, whenever he is disposed to negotiate peace or war."

The Turkish army now before Missolonghi exceeded 20,000 men, 8,000 of whom were Egyptian troops, trained to regular warfare, and supported by a numerous artillery, well managed by European engineers. The garrison which resisted this overwhelming force did not amount to 2,000 men, under the command of Noto Bozaris; and if the enemy had only perseverance, escape seemed to be impracticable, for their very numbers could weary out the useless bravery of the besieged. Ibrahim opened his batteries on the town about the middle of February, and continued a furious bombardment, without making any assault, till the 28th. On that day he led his men to a general and simultaneous attack; the Greeks received him with their usual desperate bravery, having previously excited themselves into enthusiasm, by taking the holy sacrament, as if moving to inevitable death. The contest was long and doubtful, and the carnage dread-



ful; but the despair of the Greeks prevailed, and Ibrahim was repulsed upon every point, with a loss which, according to some, amounted to three thousand men. On the 2nd of March he made a similar attempt, and was again repulsed; while the Greeks, sallying from the town, drove in his out-posts, and insulted his entrenchments.

Ibrahim, while he allowed his troops to recover from the consequences of these unsuccessful assaults, now directed his attention with greater earnestness to the project of starving the town, and thus compelling the garrison either to surrender at discretion, or expose themselves, in a desperate attempt to break through the circle which surrounded them, to almost certain destruction, from his immense superiority of force. To gain this end, it was essential to make himself master of the small island of Vassiladi, the guns of whose fortress prevented his fleet from establishing a perfect and actual blockade, and preventing a frequent entrance of small vessels laden with provisions, from Zante and Cephalonia. It had already resisted several attacks, but, on the 9th of March, he succeeded in carrying it, in consequence, it is said, of a shell having fallen in the powder magazine during the assault, and at once produced confusion in the garrison, and deprived them of their means of defence. On the 13th, he was equally successful against the fortified island of Anatolico. His ships of war could now anchor where it suited them; his armed boats could prevent a single plank from entering the harbour: the Greek fleet, though

cruizing in the neighbourhood, was too weak in force to risk a battle; and the fate of Missolonghi was sealed. Ibrahim could assault both on the sea and on the land side; and, between the 18th of March, and the end of the month, he made several furious attacks, combining all his preparations in a manner which seemed to promise decisive success. Ibrahim himself, in the last of these assaults, led on his men. While the attack was made on the land side, a numerous flotilla of boats, crowded with troops, made a simultaneous attack from the sea. On the latter point the attack, at first, succeeded; the Egyptians surmounted all the difficulties presented by the nature of the ground, and made their way as far as the custom-house. But the Greeks had formed a rampart of hogsheads filled with sand, and surmounted with cannon; behind this they entrenched themselves, and kept up so destructive a fire, that the Egyptians and Turks were again driven back in disorder, leaving behind them two thousand of their bravest troops.

Ibrahim had now learned the temper of the garrison, and wisely resolved not hastily again to squander his men in such costly attacks upon opponents, who seemed to be as immovable as the walls which they defended. Keeping within his entrenchments, and maintaining, by his occupation of Vassiladi, a strict blockade of the harbour, he patiently awaited the issue which his very position, and the failure of provisions in the town, could not fail soon to produce. Abundance and repose reigned in his camp; the Greeks



were worn out with watching, and famine stared them in the face; yet their desperate resolution never failed, and every proposal of a surrender was treated with contempt. Ibrahim, who, with all his barbarism, does not seem to have delighted in blood for its own sake, sent a summons to the town on the 2nd of April, offering a capitulation on the garrison surrendering prisoners of war, promising to save the lives of the inhabitants on their arms being given up, and undertaking that they should be allowed to proceed to any part of the Turkish dominions which they might select. These terms were refused, either from distrust in the good faith of the Egyptian commander, or, it may be, from a noble wish to set a heroic example of that total forgetfulness of self, which the love of country will sometimes inspire. In the mean time, the unfortunate garrison was abandoned to its fate. The commanders in the north, and at Argos and Napoli, made no effort for its relief; Goura and Fabvier were in the rear of the besiegers, but were either too weak, or too timid, to attempt even a diversion. Miaulis, indeed, risked his fleet, and endeavoured to break through the blockade; but, although the advantage was sometimes on his side, the naval superiority of the Turks was too decided to enable him to open the harbour, and throw in provisions. By the 16th of April, Ibrahim had cut off every means of communication, by mooring across the harbour rafts and flat-bottomed boats, armed with heavy artillery; even the scanty supplies which hitherto had occasionally stolen in, could no longer arrive; every

store and magazine had been long exhausted; the famine was absolute, and women and children were dying of starvation. Shut out from every gleam of hope, and looking on the life which would be reserved for themselves and their families in Turkish slavery, as a life not worth retaining, except as an instrument of revenge, the Missolonghites formed a resolution which only despair could have adopted. It was determined that the men able to bear arms should make a sudden sally, and endeavour to force their way, sword in hand, through the besieging army. To assist their project, it had been arranged, by means of secret messengers, that the Rumeliot troops in the mountains, and behind the Turkish camp, should, at a fixed hour, attack it from the rear; the commencement of their firing was to be the signal for setting fire to some houses in the town; while the attention of the enemy was thus distracted, the garrison was to make a sortie, in the hope of being able to carry, in the confusion, one of the batteries on the sea shore, and secure their passage. The other part of the plan was still more dreadful: the old men, the women, and children, unable to be sharers in this desperate enterprise, and, remaining defenceless in the town, certain only of massacre and dishonour, prepared for voluntary death. Several parts of the works and of the town were undermined and charged; there these helpless victims resolved to take their stand, when stripped of their natural defenders; there they were to await the entrance of the Turks, then spring the mines, and bury themselves, their abodes, and their ene-



my, in one common destruction. These resolutions were all taken, and the necessary preparations made, in the course of the 19th and 20th. On the 21st and 22nd, Miaulis made a last attempt to come to their assistance, and to carry a vessel laden with provisions into the harbour; but his small fleet struggled in vain with the overwhelming force of his adversary, and he was reluctantly compelled to leave this devoted handful of brave men to their fate. The execution of their design could no longer be delayed. The Rumeliots made the preconcerted attack on the rear of the Turks on the 22nd of April, but a deserter from the town had revealed the plan to the enemy, who in consequence re-inforced their posts, to keep the Rumeliots in check, and beset every avenue by which the besieged might be expected to issue forth. When, therefore, the garrison, having taken leave of their families, for whom not even a chance remained, and received from their bishop the blessing and the absolution of heaven, sallied out to the attack, instead of falling unexpectedly upon an unprepared adversary, they found the enemy on the alert, and doubly strengthened, every trench and every battery manned. A surprise had been their only hope, but yet to advance was not more certain destruction than to retire. They threw themselves with desperate and reckless courage into the works; they fell in ranks before superior numbers; but, notwithstanding the murderous discharges from the Turkish cannon, about eight hundred men, less than one-half of their number, succeeded in cutting a passage

for themselves, and joining Karaiskaki and his Rumeliots in the mountains. The Turks, heated from slaughter and resistance, rushed into the defenceless town; amid the confusion, the mines were only partially sprung, and the sickening scenes of licentiousness and murder began. Ibrahim himself bewailed the carnage which he could not restrain; many women sprung into the sea, and into wells, with their children in their arms; many more were killed by their own relations, as the only protection against the Turkish ravisher. Among the slain was Noto Bozzaris, the commander of the town, an old man of seventy-six, who had refused to depart, declaring that he considered himself the cause of all their misfortunes, since it was by his advice that they had rejected every offer of capitulation. A band of about one hundred and thirty men fortified themselves in a house, and defended it during the whole of the following day, till, when about to be overpowered, exhausted by fatigue and hunger, they blew up themselves and their assailants. So obstinate was the conflict at the works, and so ruthless was the massacre in the town, that, although between two and three thousand Greeks perished in both, only an hundred and fifty were returned as having been taken alive. The male population above twelve years of age was exterminated; between three and four thousand women and children survived, to be carried into slavery.

After the fall of Missolonghi, the Rumeliots who had occupied the mountains of Acarnania, with that part of its garrison which had escaped, and the corps un-



der Goura, which had been in the neighbourhood of Salona, retired, leaving Western Greece open to the conqueror, and took refuge in Athens. Thither they were followed by Redschiid Pacha, who formed the siege of the town. Ibrahim, hitherto irresistible, recrossed the Gulph into the Morea, having no impediment in the way between him and Napoli di Romania, the only important fortress now occupied by the Patriots in that part of Greece. But he had suffered too severely in his repeated attacks upon Missolonghi, to be able to undertake new offensive operations, until he should have recruited his army, and received reinforcements from Egypt, for which purpose the Egyptian fleet had sailed for Alexandria after the taking of Missolonghi, while the proper fleet of Turkey returned to the Dardanelles. He occupied himself in strengthening and provisioning Tripolizza, which was exposed to the attacks of Colocotroni, and Napoli remained undisturbed. The rest of the year was spent by Ibrahim in inactivity, for the fleet from Alexandria did not arrive at Navorino till the 4th of December; it brought to him no troops, but a large supply of military stores, and a million and half of piastres. The siege of Athens, likewise, though pressed by Redschiid Pacha, did not present any memorable occurrence. The Turks were repulsed in all their attacks upon the Acropolis; and, on the other hand, all attempts to raise the siege failed. The Greeks were unable to supply forces for its relief, without withdrawing the few troops they still possessed below the Isthmus, and thus facilitating the

advance of Ibrahim into Eastern Greece, if he should think proper to move. In an unsuccessful assault made by the besiegers on the 18th of October, general Goura, who commanded the garrison, was killed.

About the same time that Missolonghi fell, the Greeks were equally unfortunate in an attempt which they made against Negropont. Colonel Fabvier, one of the European officers in the Greek service, had employed the spring of the year in raising recruits at Athens, and in the islands, and succeeded in bringing together, and training, about one thousand five hundred men. At the head of these he unexpectedly landed in Euboea in the end of March, and surprised Carysto, an open town, the Turkish garrison of which retreated into the citadel; but having lost his time in attempting to take the citadel, and his provisions being consumed, he was surprised by the governor of Negropont, who had hastened to the aid of Carysto with a numerous body of cavalry.

Colonel Fabvier, and the greater part of his corps, succeeded in fighting their way to an islet or rock, called Stura where, during several days, and under great privations, they resisted the attacks of the Turkish forces, till they were rescued by some of the vessels of the Insurgents of Tino and Syra.

On the 11th of April, a body of Albanians effected a landing near Bairout, a trading town on the coast of Syria; and, guided by spies, entered the town almost before any alarm had been given. The mussulmen, however, flew to arms; and, after a sharp contest,



the Greeks, although supported by the fire of the ships from which they had landed, were compelled to retreat to a neighbouring hill, leaving behind them between thirty and forty of their number killed. They remained in this position for several days, without attempting any thing further; when, finding that the Greeks of the mountains were not rising in their favour, they returned to their ships. They made no booty, and committed no ravages in the country, or violence towards the inhabitants.

The National Assembly was sitting at Epidaurus, when the intelligence of the taking of Missolonghi reached it. Even a regular and long established government would have felt much embarrassment, if placed in the circumstances in which this body found itself; defeated in the field, surrounded by discord at home, the treasury empty, and neither wealth in the country to tax, nor credit abroad upon which to borrow. Its first step was, to address a manifesto to the nation, in which it did not conceal the mischief of the reverse of fortune which had taken place, but in which it still spoke the same language of determined resolution to resist even unto death, and in a tone of calmer and deeper solemnity than it had hitherto assumed, appealed to the justice and mercy of Christendom. "When we descended into this great arena, we proclaimed in the face of God and man, our determination to die with the cross before us, and our weapons in our hands, rather than live as slaves without a religion, without a country, a scorn and an opprobrium to neighbouring nations. Although God, in his wisdom, has

subjected us to bitter trials, he has never forsaken us during our long and arduous struggle; and, testifying from the bottom of our hearts, our deep gratitude towards an Omnipotent Providence, we again proclaim, in the name of the Greek nation, its unanimous resolution to live and die amid the chances of war, rather than cease to struggle for the deliverance of Greece. For that object, we have long beheld, and still behold, tranquilly and unyielding, our cities and villages deluged with blood, our fields made a wilderness, thousands of our fellow citizens dragged to slaughter, to slavery, to pollution worse than either. The Representatives of the Greek nation consider it their duty to proclaim these things openly to those who are attached to the name of Christ, and whose hearts beat responsive to the generous sentiments, and unchangeable resolution, of the Greek people. They entertain a fervent hope that the monarchs of Europe, who exercise dominion under Christ, convinced of the equity and justice of their contest, will, in this appalling hour, cast an eye of pity on an unfortunate nation, whose sufferings arise from their professing and maintaining a similar creed to themselves."

The next step of the National Assembly was, to separate, having first appointed an executive deputation, or commission, consisting of eleven members, and a committee of its own body, consisting of thirteen members, vested with the full powers of government. The seamen of the fleet were prevailed upon to agree to serve for six months longer without demanding



their pay ; and the executive exerted itself in procuring provisions and ammunition for the fortresses, and the troops, which were still on foot ; sending numbers of females and children into the islands, that in the event of a siege, the magazines might not be burdened with a croud of useless mouths. The inactivity of Ibrahim, who was reposing his army at Modon, and watching over the safety of Tripolizza, allowed it to carry on its military preparations undisturbed ; and it found leisure to employ its authority in attempting, sometimes successfully, to allay the dissensions which were perpetually on the eve of breaking out among the chiefs. The president of the executive commission himself, with two of its members, and the archbishop of Arta vice-president of the committee of the National Assembly, hastened to Corinth, where petty and private jealousies of long standing between the general and vice-general of the province were now openly assuming the form of a civil war ; the factions having successfully recruited, even in the neighbouring provinces, men, who, if they drew the sword at all, ought to have been opposing the common enemy. These deputies, backed by the presence of Colocotroni, who was thus withdrawn from the Morea at so critical a period, succeeded in restoring for a time, at least, apparent harmony.

The appeal which the National Assembly had made to Europe was partially answered in one way, but could not be answered in another ; their treasury might be assisted, and their troops armed, by private contributions : but the interference of governments, was a task of the

utmost delicacy and difficulty. In every christian state, the melancholy fate of the devoted garrison and inhabitants of Missolonghi excited only one feeling of deep commiseration ; in every capital, and even in some courts, contributions were collected to relieve the crowds who were perishing in nakedness and want, and to re-purchase captives. At Berlin the king himself set the example. The king of Bavaria transmitted from himself and his family a sum of upwards of 3,000*l.* in addition to a sum of nearly 2,000*l.* which he had already given towards the redemption of women and children who had been carried into slavery from Missolonghi. The self-constituted Greek committees, too, who, as yet, had exhibited only incontestible proofs of vanity, bravado, and mismanagement, increased their exertions to export for the service of Greece certain persons who assumed the appellation of Phil-Hellenes, small enough in number to be utterly contemptible as allies, and in the use of arms, if arms could be obtained, far less practised and experienced than the Greeks themselves. Forty-five of these persons were shipped from Marseilles in the month of July with much parade, and theatrical affectation of sentiment, “ to fight for liberty and the cross,” as it was called—that is, to make windy apostrophes in the gulph of Salamis, or on the plain of Marathon ; to frame constitutions for people who could not think ; and establish the liberty of the press, as the all in all of human happiness, in a nation that could not read ; to prate of Miltiades and lord Byron, without having one ray of common sense



in their heads; and, worst of all, to irritate and disgust the Greek government by their arrogant assumption of juvenile superiority. The wishes and intentions of such men may have been laudable, but, in general, the want of prudence, of discretion, sometimes of honesty, in the directors of such schemes, was deplorable.

The interposition of the Christian cabinets, if ready to be backed by force, would probably have been effectual with Turkey, pressed as she was by Russia; but it would have been difficult to have discovered any principle of justice, on which such an interference could have been defended. The sovereignty of Turkey over Greece was just as legitimate as that of Venice had once been over Candia and the Morea, or that of Russia over Georgia; it was perfectly consonant to the public law of Europe, and had been acknowledged without interruption, by all its powers. The tyranny or injustice of the Ottoman Porte towards its Greek subjects, could not be made the ground of interference, without setting it up as a principle that every sovereign had a right to take care that his neighbour exercised his authority according to his notions of humanity and principle. France or England had no more right, in point of principle, to quarrel with the Sultan for leading into captivity the dishonoured matrons of Missolonghi, than for tying up in sacks, and throwing into the sea of Marmora, the matrons of Constantinople who talked of forbidden things. Neither could any help be derived from the fact, that the Greeks were Christians, and their oppressors Mahomedans,

however powerfully it might act as a bond of sympathy. In so far as oppression can justify foreign interference, it matters not whether that oppression be exercised over orthodox believers or over heretics: to twist the bow-string round the neck of an innocent mussulman, is as great an enormity as to twist it round the neck of an innocent Christian; and it has never been a rule of European policy, that nations of different religions ought not to be subject to the same sovereign. On what principle could Russia ask that Christian Greece should be withdrawn from under the yoke of Turkey, on which Turkey, in return, might not have insisted that the Mahomedan provinces of Daghistan and Shirvan should be liberated from the supremacy of Christian Russia? Any interference, therefore, in the shape of a demand, seemed to be out of the question: advice and good offices to both parties, were all that the Christian cabinets could offer. Russia, in the note in which she explained to the ministers of foreign powers at the Porte the reasons why she insisted by threats of using force, on the acceptance of her ultimatum regarding the principalities on the left bank of the Danube, assured them, that this resolution had no connection with the state of things in Greece: that, notwithstanding her natural inclination and the universal wish of the nation to save from extermination its remaining fellow-Christians, she would not depart from her previous engagements, to act only in concert with the other powers; and that the instructions sent to M. Minziacky had no relation to those affairs. The note concluded



with a hope, that the joint efforts of the ministers of the allied powers at Constantinople would succeed in putting an end to the dreadful scenes in Greece, and bring about an arrangement which might reconcile policy and humanity. A mission of the duke of Wellington to St. Petersburg in the spring of the year, was thought to have reference principally to the settlement of the contest; but, if the negotiation went any further than fixing general rules by which the cabinets were to be guided, and ascertaining their mutual intentions, it produced, in the mean time, no practical effect. Any conditions, again, to which the Greeks seemed willing to consent, were evidently such as Turkey would never accede to. According to a document delivered by general Roche to the Greek committee in Paris, and purporting to emanate from the National Assembly, the British minister at Constantinople was authorized to treat of peace on condition, that no Turk should reside, or possess property, in Greece; that all the Grecian fortresses should be occupied by Greek garrisons; that the Greeks should have a sufficient military and naval force for the maintenance of tranquillity, and the protection of commerce; that they should enjoy the right of coining money, and that the amount of tribute to be paid by them should be fixed; that the Sultan finally should have no influence over the Greek clergy, or in the internal organization of the country. If it was only the dread of a Russian invasion, when he was helpless, that induced the Sultan to concede the much more limited privileges of the Servians, it is easy to con-

ceive with what temper he would have listened, in the moment of victory, to pretensions so high.

It was of importance to Greece to avoid, at least, any quarrel with the European powers, in which the unblushing and unrestrained system of piracy pursued under her flag in the Levant, threatened to involve her. Almost every island in the Archipelago had become a nest of robbers. While the government could with difficulty man the national fleet, flotillas of mystics, and other piratical craft, swarmed from Candia to Negropont, and violated the flag of every nation that sailed the Mediterranean. The crews of the captured vessels were frequently treated with barbarous cruelty; the cargoes were openly carried for sale generally to Syra, and often regularly imported into Smyrna, the very market for which they had been shipped in the home port. There were squadrons of British, French, American, and Austrian men of war cruising in the Levant, but sometimes the hardihood of the pirates set them at defiance. When pursued, they ran their light and small vessels into some narrow and shallow creek, where a ship of war could approach them only by sending out her boats. If she did so, they fought from behind rocks with all the courage of despair. If taken, it was only to be run up at the yard arm; if they allowed their vessel to be captured or burned, they were left to starve; to be shot, therefore, fighting to the last, with a chance of escape, was better than either of these alternatives. The government of Greece was much too feeble to be able to put down these daring free-



booters, who, in general, islanders themselves, found abundant friends in the inhabitants of the Archipelago. By a decree, however, issued in June, it declared that it would consider as piratical all vessels which, not forming part of the Greek fleet, should cruise on the seas as privateers; secondly, all those vessels which, though belonging to the national fleet, should not be provided, besides their papers of military service, with regular letters of marque, signed by the government, or admiral; thirdly, all those small privateering vessels, which went under the denomination of *mistichs*, *pirames*, and *clephlines*. The local authorities stationed on the islands on the coast of Greece, and the Greek ships of war, carrying regular commissions, were required to seize all such vessels, and, in case of resistance, to chase, sink, or burn them.

The building of *pirames*, *clephlines*, and other similar vessels calculated for piratical cruising, was expressly forbidden. If the builders of these interdicted barks did not forthwith abandon the intended construction of them, or undertook the building of any new ones, they were to be punished with fine and imprisonment. The public authorities of the islands on the coast, on which such barks were built, were also to be punished with a pecuniary penalty, if they did not prevent the construction of them. This decree was principally valuable as fixing certain plain characters which should be indicative of piracy, and thus freeing the naval squadrons of foreign powers from the difficulty which they often encountered of ascertaining the pirate from the Greek ship of war.

But by far the greatest difficulty which the commission of government had to encounter, and the greatest obstacle to remedying the losses they had sustained in western Greece, arose from the total ruin of the finances. Neither discipline, nor constancy, could be expected from troops who were ill-clothed, ill-fed, and not paid at all. Possessed of no resources in themselves, the Greeks had already contracted debts which they were unable to pay, and yet these debts had been contracted, and the money raised by them expended, without one solitary real advantage having been hitherto purchased by them. On the return of lord Cochrane from establishing independence in Peru, he was willing, for an adequate pecuniary reward, to devote himself to the same cause in Greece: and, if a proper naval force could be put under his command, every thing was to be expected from his skill, his gallantry, and his love of enterprise. Certain gentlemen in London, styling themselves the Greek Committee, with the knowledge and consent of the Greek deputies, Messrs. Orlando and Luriottis, had entered into an arrangement with his lordship, by which a fleet was to be created, and placed under his command. It was to consist, not merely of the usual ships of war, but likewise of a number of steam-boats, not hitherto used in the Levant; and two large frigates were to be built in the United States. The only thing wanting for the execution of this plan was funds, precisely the want which it was most difficult to supply. Early in 1825, a loan to the extent of 2,000,000*l.* was negotiated in



London, through the agency of the Messrs. Ricardo, of which it afterwards appeared, that about one tenth part had been remitted in specie to Greece, where no satisfactory account of its progress through the hands of the members of government into whose possession it came, could be obtained. The great object was, the equipment of lord Cochrane's fleet. The two sixty-gun frigates were to be built in the United States, and 155,000*l.* were transmitted to new York to cover the expenses. The superintendence of the execution of this naval contract, the building and equipment of ships of war, was intrusted to Lallemande, an ex-general of Napoleon. The Greek deputies subsequently took credit, in their accounts, for 12,000*l.* paid to this person for his services during twelve months in a department of which he was, and must have been known to have been, profoundly ignorant; this the general denied, declining to answer "personal reflections, and injurious remarks," and with this denial he remained satisfied. The progress of the commission was what might have been expected from the wisdom which characterized its commencement. The 155,000*l.* were expended in New-York; and in return, the Greeks received, in the very end of 1826, instead of two ships of war, one frigate of sixty guns which was not worth one half of the money. A dispute ensued with the contractors; it was referred to the decision of three American arbitrators, who confirmed the honesty and fair-dealing of the whole transaction, and the first finding of whose award adjudged to themselves "4,500

dollars, for our services in the premises."

In the mean time, the equipment of the steam boats in London did not proceed a whit more successfully. By the contract for equipping them, five steam-vessels, within two months, or two months and a half at the latest, from the 17th of August, 1825, were to have been placed at the disposal of lord Cochrane, as commander of the auxiliary marine force in the service of Greece, and his lordship was engaged to sail in the month of November: for the equipment of this armament, 150,000*l.* of the loan were set apart. *It was the month of May, 1826,* before one of the vessels was ready to leave the Thames; and even then, only one of them, the *Perseverance*, was fit for sea. She sailed under the command of captain Hastings for the Morea, and her machinery turned out to be useless. She was tossed about helplessly in the Mediterranean, and, having been forced almost to re-construct her machinery in Sardinia, it was not till the 14th of November, nearly four months after her departure, that she was able to reach Napoli di Romania. The other steam-vessels were either in the state in which she had left them, or, when they were tried in London, in September and October, it was found that the machinery refused to work, that it would be necessary to take it out, and that the whole work was to do again. The machinist, to whom the construction of the machinery had been committed, had a son in the service of the pacha of Egypt as an engineer; and inquisitive persons could not be prevented from asking, what



security would there be for the son's head, if the pacha should learn, that the steam-boats which were defeating his fleets had been fitted out by the father? In the mean time, lord Cochrane was lingering, in vain expectation, about the shores of France and Italy. Instead of leading a gallant fleet to the assistance of Greece in November, 1825, he had not a ship under his command in Nov. 1826.

When the Greek government consented to appropriate so large a portion of the loan to this armament, it made a great sacrifice at the moment, but made it likewise for a great object. If the terms of the contract, on which they were entitled to rely, had been at all observed, it is difficult to believe that Missolonghi would have fallen. The intended armament, added to the Greek fleet already on foot, and led by an officer like lord Cochrane, would have been to Ibrahim a very different force from any that he had yet encountered; and the peculiar powers of steam vessels, enabling them to enter the harbour, when the easterly gales blew the blockading squadron off the coast, would have insured the garrison against famine. After what had been already achieved by the Greek fleet on more occasions than one, there was no extravagance in supposing that it might now acquire and maintain the supremacy at sea; and, in that case, the fate of Ibrahim, dependent as he entirely was upon Egypt for supplies, was sealed. The Greek government, therefore, had every reason to complain of the mismanagement of those who had received, or had assumed the control of, this loan, and a clear right to annul the

contract for the steam boats; and it was still more astounded upon learning that, although scarcely any thing had been done, the whole 2,000,000*l.*, raised by the loan, were disposed of! Ninetenths of this sum had never come into their hands; but they were told it was expended, and all they had received in return were a sixty-gun frigate, and a miserable steam-boat, both of which arrived too late to be useful, when punctuality in point of time was essential to their value. Some of the chiefs began to clamour loudly for an account of the manner in which the money had been applied, and no one of them was willing that, where plunder and speculation were to be practised, they should be practised by other hands than their own. In the month of June the government recalled from London the deputies who had managed the negotiation of the loan, and ordered them to give in their accounts. M. Spaniolacki, another Greek, was authorized to examine these accounts, in conjunction with two respectable English gentlemen; and he was instructed to use the utmost diligence "from the present moment, in examining the accounts and eliciting the truth."

While the deputies were preparing for this investigation, a committee of Inquiry was appointed by a public meeting of the bondholders in London. Though the committee consisted nominally of a considerable number of persons, the pretended investigation seems to have been conducted only by colonel Stanhope and Mr. Bowring. Mr. Hume, though a member of the committee, did not attend one of its meetings.



A report was prepared in the name of the committee, but, in fact, by Mr. Bowring, which, on the 23rd of October, was submitted to a meeting of the bond-holders. It manifested on the very face of it a strong anxiety to conceal much of the truth, rather than to present to the world a full disclosure of the fraud and folly with which the Greek loans had been connected: and yet it betrayed enough to excite in the public mind strong disgust at the incapacity and dishonesty of most of those who had been parading on the public stage as disinterested friends of Greece.

The first loan, the report stated, was contracted for in the begin-

ning of 1824. The Greek committee appear to have sanctioned the arrangements made with Messrs. Loughnan, Son, and O'Brien, as contractors; the proceeds were not controlled by the Greek deputies, without the sanction of Mr. Edward Ellice, Mr. Joseph Hume, and Mr. Loughnan, sen., who were appointed trustees; and it was stipulated that the monies should be remitted to four other trustees in Greece (of whom three were Englishmen) to watch over the proper appropriation of the same.

The following was given as a statement of the application of the first loan:—

	£.	s.	d.
Interest .....	80,000	0	0
Commission on loan,* and shipments to Greece ....	225,746	9	2
Sinking Fund .....	16,000	0	0
Specie sent to Greece .....	298,726	11	9
Stores sent to Greece .....	10,063	6	5
Bills drawn from Greece .....	3,858	15	0
Expenses of Agents, &c. ....	1,027	15	10
Loan of Lord Byron, and interest repaid .....	4,683	6	8
Freights and Passages paid .....	1,624	15	11
Mr. Orlando, for 10,000 <i>l.</i> Bonds .....	5,900	0	0
Individual Expenses of the Deputation .....	5,045	0	0
Advertisements and Solicitors' Bills .....	140	0	0
Balance paid to Messrs. Ricardo and Ralli .....	27,501	0	0
	<hr/>		
	£.480,317	11	2

What those shipments were, which were represented as amounting to nearly 200,000*l.*; how the 298,000*l.* was remitted in specie to Greece—on these and similar topics the report gave no information. All that was known was,

\* It was afterwards discovered that this commission (so *curiously* blended in one item with shipments to Greece) amounted to no less than 28,000*l.* allowed nominally to Loughnan and Co., but who in their turn paid 11,000*l.* to Bowring.

that the whole of the first loan, though placed under the guardianship of Mr. Ellice and Mr. Hume, had disappeared without producing even the semblance of benefit to Greece.

The report did not deal quite so gently with the second loan: the management of which had been in other hands. Its nominal amount was 2,000,000*l.* sterling, which had been taken at 55 per cent; and with some



other sums had produced nearly 1,200,000*l*.

The disbursements were as follow :—

	£.	s.	d.
Interest for two years .....	200,000	0	0
Commission,* .....	64,000	0	0
Brokerage paid to Mr. Bonfil .....	4,800	0	0
Sinking Fund .....	20,000	0	0
Specie sent to Greece .....	182,401	14	4
Bills drawn from Greece .....	33,713	5	6
Stores sent to Greece .....	59,732	19	6
Expenses of Agents .....	2,297	16	6
Freights and Passages paid .....	339	9	8
Set aside for a projected Expedition .....	160,000	0	0
Paid for Frigates building in America .....	156,990	5	0
250,000 <i>l</i> . Bonds of 1st Loan purchased .....	113,182	0	0
Sent to Colonel Gordon .....	15,108	1	6
Due by Mr. Orlando, as per his account .....	5,039	9	11
Due by Mr. Luriottis, as per ditto .....	4,552	11	0
Individual Expenses of the Deputation .....	6,716	19	8
Loss on Exchequer Bills, and on Money sent to Marseilles and returned .....	411	12	0
Ditto by Failure of Mr. Mavrocordato .....	2,695	5	3
Penalty to Mr. Contostavlos, for the non-fulfilment of a Contract for Guns .....	1,000	0	0
Paid to Mr. Graham for Military Stores, not sent, on account of the Proclamation .....	2,000	0	0
Sent for the relief of Missolonghi .....	3,350	0	0
Arms and Clothing sent from Paris to Greece .....	10,893	5	6
Paid to Captain Miaulis and his Crew .....	915	0	0
Advertisements and Solicitor's Bills .....	110	10	0
Assistance and Charity to Poor Greeks in London ..	205	0	0

The detection of the gross mis-application of a sum, which, if employed with common sense or common honesty, would have ensured the liberation of Greece, led to squabbles among the individuals who had been accessory to the mismanagement of the money: and these squabbles led to mutual accusations little honourable to the parties concerned.

\* Of this commission, it was stated that Mr. Ellice had received 14,000*l*. Mr. Easthope, 10,000*l*.; Messrs. Lloyd and Co. 6,500*l*.; the deputies 7,500*l*.; &c.

Orlando, Luriottis and Spaniolacki (deputies or agents of the Greeks), Hume, Ellice, Bowring, and Messrs. Ricardo, filled the newspapers with letters of palliation or recrimination. We shall not descend into the details of the petty meanness and manœuvring, which the correspondence unveiled to the public: but two or three instances may be given of the mode in which the agents and trustees of Greece dealt with her money. In the first loan, Mr. Hume had assigned to him 10,000*l*. stock, at the rate of 59*l*. per hundred,



the original price at which the contract was made. Some time afterwards, the bonds having fallen to 16 per cent discount, Mr. Hume became alarmed, and applied to the deputies and contractors to relieve him from his loss. The deputies at first refused, intimating that, if the stock had risen, Mr. Hume would not have parted with the profit. He, however, insisted on his demand; he was powerful, for he had a control over the proceeds of the loan; and at length the deputies consented to take the stock off his hands at the rate of 13 per cent discount. Thus Mr. Hume lost only 1,300*l.* instead of 1,600*l.*; and the loss of the 300*l.* was gratuitously thrown upon Greece. Some time afterwards Greek stock rose above par; and Mr. Hume made strenuous and persevering applications to have the 1,300*l.* returned to him. The request excited considerable surprise, but, from an unwillingness to disoblige so ardent and faithful a friend of the Greek cause, this sum was also given to him. Still Mr. Hume was not satisfied. He discovered that the interest on the 1,300*l.*, from the date when the contractors took his stock from him at 13 per cent discount to the date when they made him a present of the

1,300*l.*, would amount to 54*l.* He accordingly applied also for this sum of 54*l.* and received it. In like manner Mr. Bowring took 25,000*l.* of stock at the original price of 59*l.* per cent. The stock fell, and he, being unable to pay his instalments, made vehement remonstrances, coupled with representations of his services to the Greek cause, to induce the deputies to make Greece bear the loss accruing upon his speculation. Hume seconded his entreaties; and, partly by menaces and partly by persuasion, the deputies were prevailed upon to commit a breach of trust and to take back the stock at the rate of 10 per cent discount. The stock having subsequently risen to a premium, Mr. Bowring applied to have the stock returned to him. The answer to his request was (and the answer was supported by the production of his own hand-writing) that he had sold the stock to the deputies. He declared that he had forgotten or misunderstood the circumstance; Mr. Hume again interfered in his behalf: and the deputies paid him back 2,500*l.*, to which he had no right, and which was so much money abstracted from the funds of Greece.



## CHAP. XIV.

THE UNITED STATES—*Negotiations with Britain regarding the Colonial Trade.*—SOUTH AMERICA—*War between Brazil and Buenos Ayres—Constitution of Brazil*—STATES OF THE RIO DE LA PLATA—COLOMBIA—*Revolt in Venezuela—Venezuela declares itself Independent—Return of Bolivar—Non-payment of the Dividends on the Debt—Laws concerning the Public Debt.*—MEXICO—*Finances—Negotiations with the Pope*—GUATEMALA—*Internal Dissentions.*—PERU—*Surrender of Callao—The National Representatives refuse to meet—Conspiracy against Bolivar—He is chosen President for Life—His departure—Finances*—BOLIVIA *receives a Constitution from Bolivar*—CHILI—*Chiloe conquered—Insurrection in Chiloe in favour of O'Higgins—Confusion in the Government—The Supreme Director resigns—Non-payment of the Dividends on the Public Debt.*—CONGRESS OF PANAMA.

**D**URING this year, the United States lost two of their ex-presidents, Mr. Jefferson and Mr. Adams, who were besides two of the only three survivors of the members of Congress, who, in 1776, signed the Declaration of American Independence. It was thought a coincidence worthy of being remarked, that they both expired on the same day, and that day, the 4th of July, the fiftieth anniversary of the issuing of the Declaration which made America an independent nation. They heard the sound of the bells and the salutes which ushered in the political festival; both had been compelled,

by ill health, to decline the invitation to attend its celebration in Washington; and, before sunset, they had both breathed their last, having witnessed their country rising, during half a century, to power and wealth, under the government in laying whose foundations they had borne so large a share. Their whole lives had been spent in the public service; they had filled the highest offices in the state at home, and conducted its diplomacy abroad.

The revenues still continued to be more than equal to the expenditure; and, in the budget of the year, they were estimated as follows: The revenue

From Customs .....	24,000,000 00	dollars
From the public lands .....	1,000,000 00	
From Bank dividends .....	385,000 00	
From miscellaneous and incidental receipts .....	115,000 00	
	<hr/>	
	25,500,000 00	

The expenditure of the year was estimated as follows:

Civil, miscellaneous, and diplomatic. . . 2,032,454 66



Military service, including fortifications, ordnance, Indian department, revolutionary and military pensions, arming the militia, and arrearages prior to the 1st of January, 1817 ..	5,525,662 55	
Naval service, including the gradual increase of the navy .....	3,026,612 81	
Public debt .....	10,000,000 00	
		<hr/> 20,584,730 03 <hr/>

Which would leave in the Treasury on the 31st December, 1826, after satisfying all the demands of that year, a surplus estimated at .....	4,915,269 93
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The United States were more interested than any other country in the progress of the new South American republics. Geographical situation, as well as similarity of political institutions, drew them towards each other, and promised to the former peculiar advantages for the establishment and extension of a most lucrative commerce. The general Congress which the South American republics proposed to hold at Panama, held out to the United States an opportunity of forming with them a connection exclusive of all European influence, which would make North America, in some measure, a member of their own body, and secure to it preferences and a preponderance, to which European powers, who took no part in the deliberations of the assembled representatives of the American continent, could not hope to aspire. On the other hand, in such an assembly of political bodies, who had just thrown off the supremacy of the mother country, whom the mother country still treated as rebels, and whose independence was far from having been universally and cheerfully recognized by the European courts,

it was more than probable that measures might be proposed, and resolutions adopted, to which the United States could not become parties without injuring their relations with Europe, or, at all events, with Spain. To America, the recognition by Spain of the independence of her colonies was of much deeper interest than to the powers of Europe; their relations with these colonies would be only commercial and diplomatic; but America would naturally form with them a much more intimate political union, directed exclusively to American objects; and some American statesmen were already speaking of preventing Europe from "colonizing any part of America." Hence arose the urgency with which the United States were using all their influence in the cabinets of Europe, and particularly that of Russia, to procure from Spain a formal acknowledgment of an independence which had been established irreversibly *de facto*, and hence arose their hesitation to become at once members of this Amphycionian council. From the moment it was projected, Mexico and Colombia had expressed their wish



that the United States should be represented at the proposed Congress; stating, at the same time, that they did not desire the latter to depart from their neutrality, or expect them to take part in such of the deliberations as might regard the prosecution of the existing war with Spain. To this invitation, the executive of the United States answered, that such a Congress as was contemplated might be highly useful in settling several important and disputed questions of public law, in arranging matters of deep interest to the whole American continent, and in strengthening the ties of friendship and mutual good-will among the American powers; but that it would be expedient first to adjust among the states, of whose representations it was intended to be composed, such preliminary points as its organization—the nature and form of the diplomatic agents who were to compose it—and the topics to which their attention was to be directed. If these matters were arranged to the satisfaction of the United States, it was the opinion of the president that they ought to be represented at Panama, where the Congress was intended to be held. These preliminary points having been settled, the executive named its representatives to the Congress; but considerable difference of opinion as to the propriety of the measure, prevailed in the legislative bodies. In the Senate as well as in the House of Representatives, the question was sent to a committee on foreign relations. The committee of the Senate objected to the measure, on the ground that there was still a want of concurrence of opinion among

the different parties on several material points; that it threatened to compromise the neutrality of the United States; and that some of the proposed subjects of deliberation would be better settled in separate negotiations with the individual states, than in a conference with all. They, therefore, recommended a resolution, “that it is inexpedient for the United States to send any minister to the Congress of Panama.” On the other hand, the committee of the House of Representatives, recommended a resolution, “That, in the opinion of the House, it is expedient to appropriate the funds necessary to enable the president of the United States to send ministers to the Congress of Panama.” This recommendation they justified by the consideration, that, as the subjects on which the Congress was to deliberate were of primary importance to the country, the measure, instead of being prejudicial to public interests, was of the most obvious political expediency; that, as it was stipulated that the neutrality of the United States should not be brought into hazard, all apprehensions of becoming involved in entangling alliances were unfounded, and the Congress would be regarded, in so far as the United States were concerned, as being purely a consultative assembly. This opinion prevailed, and the necessary sums were voted for the expenses of the mission, the ministers having been already named by the president.

By an act of parliament passed in 1822, the trade with the British West-Indian colonies had been partially opened to America. That statute permitted certain



enumerated articles to be imported into certain specified ports in the colonies, from any foreign country in America or the West Indies, in British vessels, or in vessels of such foreign country indiscriminately; it also allowed the articles so imported, to be exported to any other colony, or to the United Kingdom. Although this privilege extended, in words, to all the countries of America, it was, in reality, an exclusive benefit conferred upon the United States; for the new South American States had as yet nothing which could deserve the name of a commercial marine. It was a benefit, too, which the United States could never have demanded as a right, and which, in point of fact, had not been conceded to any European power. They laid hold of the trade which was thus open to them; but, instead of meeting the relaxation which had been made in their favour, in any friendly spirit, they immediately burthened British vessels with higher duties, and set up claims to the colonial markets which were unheard of among independent powers. In the session of Congress which followed the passing of the act of 1822, they made a law, imposing upon British vessels coming from the West Indies, an alien duty of 94 cents per ton, and an additional duty of 10 per cent upon their cargoes. To this enactment, sufficiently unfair and ungracious in itself, they superadded a provision, that these alien duties should continue in force, not until their ships should be admitted into the colonies on the same terms with British ships, and their produce and merchandize on the same terms

with those of any other the most favoured nation, but until "proof should be given to the satisfaction of the president of the United States, that no other or higher duties of tonnage or impost, and no other charges of any kind, are exacted in the British colonial ports on the vessels of the United States, and upon any goods, wares, or merchandize, therein imported from the United States, than upon British vessels entering the same ports, and upon the like goods, wares, and merchandize, imported in such vessels from elsewhere." By another clause, which provided, that no British ship, entering an American port from the United Kingdom, or from any other British possession, except directly from the West-India colonies, should be allowed to clear from any port of the United States for any of these colonies, an interdict was laid upon any trade being carried on between the mother-country and her colonies, through the United States. At first, the British government misapprehended the import of the words "from elsewhere;" conceiving it to mean only foreign countries, and never supposing that the United States could intend to set up so extravagant a pretension as that of being admitted on the same terms with the mother-country into the markets of her own colonies. However, after several official notes had been interchanged between the British envoy at Washington, and the American secretary of state, it was ascertained that such was the concession required by the act of Congress as the condition of removing the additional alien duties imposed on the tonnage and cargoes of



British vessels trading from the West-India islands to the United States. To concede such a claim, and thus procure the recal of the duties, was impossible; and Britain met them, by laying countervailing duties upon the tonnage and cargoes of American vessels entering the colonial harbours. She might, under the act of 1822, have interdicted all intercourse, in the circumstances which had arisen, between her colonies and the United States; but she adopted a milder expedient of retaliation, both from a hope that the latter would not persevere in their pretensions when they came to understand their extravagant nature, and because a full opportunity of explaining them would be afforded in the course of the negotiations between the two governments which it was intended to open. These negotiations, however, which commenced at London in the spring of 1824, had not led, in so far as this matter was concerned, to any satisfactory result; the United States being so far from giving up their demands, that their envoy, Mr. Rush, declared every proposal to be inadmissible which was not accompanied with the concession of rights equal to those of the mother country, required by the American act of Congress.

In the mean time, the more liberal principles which had been introduced into the commercial policy of Great Britain, had opened the markets of her colonies to all the world, as well as to America. In 1825, an act of parliament was passed, allowing foreign vessels to import into her colonies any commodities (with the exception of a few prohibited arti-

cles) being the growth or produce of the country to which such vessels belonged, and to export the produce of the colonies to any country, except the United Kingdom, and its dependencies—thus opening to foreigners the carrying trade from our colonies to all the world, except the mother country. This measure was justly and properly limited by certain conditions, intended to secure a return of benefits from those who were to gain by it. It was provided, that it should be lawful for his majesty to prohibit the intercourse between the colonies, and any country in Europe, having possessions in America or the West-Indies, which did not confer on our ships the like privileges with those which we, by that act, granted to foreign ships: and, by a subsequent act of the same session (6th Geo. 4th c. 114., s. 4) it was declared, that the privileges of intercourse with our colonies should not be enjoyed by the ships of countries not having colonial possessions, which did not place our commerce on the footing of the most favoured nation, unless his majesty should deem it expedient, by an order in council, to make an exception in their favour. The act of parliament passed in July, 1825, but was not to come into operation till the 5th of January, 1826. The United States had thus sufficient time to consider, whether or not they would repeal their discriminating duties upon British vessels, place this country on the same footing with the most favoured nations, and withdraw their absurd pretensions to equality with the mother-country herself, or sacrifice their trade with the colonies by insisting on these pretensions, and retaining



the alien imposts upon British shipping. The restrictions which clogged the partial concession of the trade made by this country to America, in 1822, had been professedly made the foundation of the act of Congress of 1823; but by the act of 1825 these restrictions were done away; and, if the United States were really desirous of establishing in commerce that freedom and reciprocity, of which, in their diplomatic documents, they professed to be the most liberal adherents, nothing remained to justify the continuance of limitations which even originally were founded on unwarrantable pretensions. The United States, however, did not think proper to accept of the more liberal offer which was now made to them, although to retain the alien duties imposed in 1823, and to claim the admission of her produce on the same terms with that of the mother-country, was in fact to demand every thing of Great Britain and to give nothing in return. They refused to abate any thing of what was required by that act of congress, an obstinacy obviously most unreasonable and unjust, and which could have no other result than a prohibition of the intercourse which they refused to accept on the same terms with the rest of the world, and on which alone it could fairly be asked. So far was congress from being inclined to repeal or relax the restrictions imposed by its act of 1823, that, during the present session, when that assembly had full knowledge of the act of parliament of 1825, a motion for the repeal of the discriminating duties was rejected after debate. The consequence was, that, in

July of this year, the colonial harbours were directed, by an order in council, to be shut against American vessels after the 1st of December ensuing. The British government would have been justified in excluding them immediately, and without any more specific notice than was given by the law itself; especially as it had not come into operation till the expiry of five months after its enactment, and had already been the subject of consideration both to the government and to the legislature of the United States. From the 5th of January, 1826, when the operation of the act commenced, American vessels ought, in strictness, to have been excluded; but as, in point of fact, they had still been admitted; it was thought due, perhaps, to the courtesy to be expected from one friendly nation towards another, to give the United States a new warning, a prorogated period, an additional opportunity of becoming just and reasonable. The American government now felt the difficulties in which they had involved themselves; their trade with the colonies was at an end, and yet they were unable to discover any feasible pretence for having refused to retain it upon conditions actually much more fair and beneficial than the terms upon which they had hitherto enjoyed it. They resolved to submit the whole matter to congress in its ensuing session, that body having already, during the present year, in full knowledge of the act of 1825, refused every proposal to modify or abolish the limitations of their act of 1823; and the American secretary of state, and their minister at London, in the communica-



tions which they were now compelled to make to the British government, complained at great length, and most querulously, that the latter should have regulated the trade by an act of parliament, instead of renewing those negotiations for arranging it by treaty which had been begun in 1824. This was a strange complaint in the mouth of a government, which more than three years before had actually regulated this very trade by an act of congress which rendered it impossible for them to negotiate; an act, moreover, on explicit compliance with every one of whose requisitions, their envoy had insisted as a preliminary to negotiation, while this demanded compliance was both impudent and absurd, and an absolute bar in the way of any treaty about the matter. It was the United States themselves who had shut the door against treaty; they had done, and, after being made fully aware of its consequences, they persevered in, an act which had rendered negotiation nugatory; an act by which her executive was bound, and its hands tied up. Their public functionaries were not at liberty to exercise their own discretion; the law had prescribed a preliminary requisite as a *sine qua non* in any arrangement; that requisite was one to which neither Great Britain, nor any other independent nation, could listen for a moment, and which no country but the United States had ever had the coolness to propose; and it would have been a mockery, unworthy of the dignity of the British government, to treat with the executive power of America upon a basis which the supreme authority of the latter disavowed. The

American ministers might now be convinced of the absurdity and extravagance of their demands, and be willing to recede from them, but they could not recede: these demands had been made by congress, and fixed by the law: it was congress that had to recede; and, so far from showing any disposition to do so, it had, in this very year, refused to listen to a proposal for repealing those discriminating duties which its ministers said, in the instructions to their envoy at London, they, for their parts, were willing to see abolished on both sides.\* In the calm and reasonable, but decided language of Mr. Canning to the American envoy, "It is not made matter of complaint, by the British government, that the United States have declined conditions, which other nations have thought worthy of their acceptance. It is on the other hand, not the fault of the British government, if the United States have suffered the time to pass by, at which it might have been an object of greater importance to this country to induce the United States to come into their proposals. The United States exercised, upon this point, a free judgment, and they can, on their part, have no reason to complain that Great Britain, after allowing ample time for maturing that judgment, is contented to abide the result of their decision. But the British government further owes to the spirit of frankness which it wishes to cultivate in all its relations with the United States, to declare, that, after having been compelled to apply to

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\* Mr. Clay's instructions to Mr. Galatin, 19th June, 1826.



any country the interdict, prescribed by the act of 1825, the British government cannot hold itself bound to remove the interdict; as a matter of course, whenever it may happen to suit the convenience of the foreign government to reconsider the measures by which the application of that interdict was occasioned.”\*

In South America, the progress of events was far from being favourable to the consolidation and tranquillity of the new governments. The imprudent contest into which Buenos Ayres had entered against Brazil, for the possession of the Banda Oriental, assumed a more distinct character in appearance, without, however, leading to any important result, while it injured commerce, and laid burthens upon the national resources which they were little able to bear. On the last day of 1825, admiral Lobo, who commanded the Brazilian squadron in the Plata, declared Buenos Ayres itself, as well as all the ports and coasts of the republic occupied by its troops, to be in a state of blockade; and he prepared with his fleet to enforce it against the capital, allowing foreign vessels fourteen days in which to load and take their departure. This step was immediately followed, on the 2nd of January, by a decree of the executive government of Buenos Ayres, for issuing letters of marque and reprisal against the emperor of Brazil—a decree in which his majesty was accused of having rejected all means of hostility recognized as legitimate by the rights of war, in

endeavouring to seduce countries from the nations to which they belonged, so that the republican government was thus under the painful necessity of allowing “the lamentable practice” of privateering against the ships of a power with which it was at open war! The executive issued, at the same time, a manifesto, intended as a proclamation of war, but which did not set forth any ground of quarrel, was full of declamation, abuse, and bravado, and incited the Brazilians to rebellion, by calling upon them to follow the example of Buenos Ayres. In this document, the emperor was charged with having usurped a principal part of the territory of the republic “in the most worthless and infamous manner recorded in history,” with having laid upon its citizens a tyranny, cruel in itself, and exercised by vile and contemptible instruments; with having united, in order to invade it, “whatever elements he could tear from his unhappy vassals, to draw vengeance, desolation, and death, upon its territory.” The republican hatred of royalty, and of European royalty, flamed forth in the concluding invocation: “Brave men, who have given independence to your country, take down your swords: A king, born on the other side of the seas, insults our repose, and threatens the honour of our children. To arms! fellow-citizens, to arms!” In the fury of their indignation, the patriots of the Plata seemed to forget that, to whichever party in this unfortunate contest, Monte Video and its territory ought to be adjudged upon a historical deduction, yet Don Pedro had been the party attacked, when he was

\* Mr. Canning to Mr. Gallatin, 11th September, 1826



in full possession of the territory ; that the Monte-Videans had possessed, and had exercised the same right with themselves, to rise in revolt against the authority of Spain, and, in the course of the contest, had submitted to Brazil, to whom they had since been subject ; that if Buenos Ayres claimed the Banda Oriental, because it had once formed part of the vice-royalty of La Plata, the same principle would justify a war against Paraguay, and those provinces of Upper Peru which had been just formed into the new republic of Bolivia—for all of these provinces had once belonged to the vice-royalty ; that, at all events, there was no stronger reason for going to war in 1825 than in any preceding year ; and that it was most imprudent to engage in such a contest without due preparation, and without even the means of securing the command of the river.

The principal mischief of the blockade was, the interruption which it gave to trade, and even that was only partial, so inefficient was the small force of the Brazilian admiral. The length to which he had carried the right of blockade, compared with the paltry means which he possessed to enforce it, drew from the American consul a strong remonstrance against such a violation of “ one of the fundamental rules of the law of blockade, as professed and practised by the government of the United States.” Admiral Lobo’s declaration of blockade embraced an extent of maritime coast of more than twenty degrees of latitude ; and the maritime force employed to enforce it amounted to a corvette, a couple of armed brigs, and some gun-boats, which

found more than sufficient occupation in alone watching Buenos Ayres. In the month of January, nine foreign vessels, in spite of the blockading squadron, entered the harbour, some of them passing within gun-shot of the Brazilian fleet, and under the protection of a greatly inferior force. It certainly would have been difficult to point out a more unequivocal example of an imaginary blockade ; and the American functionary protested against it “ as being, in its general character, as well as in its practical operation, stamped with inefficiency ; supported by a naval power wholly incompetent to enforce it, and therefore illegal ; prostrating neutral rights, and therefore wholly inadmissible on the part of the government of the United States.” The protest, however, was disregarded, and the Brazilian vessels of war, cruising about the mouth of the bay, although they could not shut up its harbours, produced a total suspension of business in the capital, while all descriptions of provisions, and of foreign imports rose one half in price. The stagnation of trade at once cut off the ordinary sources of the public revenue, and disabled the people from meeting the burthen of extraordinary imposts.

The republican fleet was much weaker than even that of Brazil ; it consisted of two brigs of war and eleven gun boats ; and the unimportant actions which took place between these flotillas were merely skirmishes, by which nothing was effected on either side. The republican squadron was under the command of commodore Brown, who hoisted his flag on board one of the brigs on the 14th



of January, with the design of attacking the enemy, clearing the river, and even shutting up admiral Lobo, with his superior force, in the harbour of Monte Video. On the 15th, the squadron got under weigh for the island of Martin Garcia, situated where the Uruguay joins the Plata, which the Brazilians had taken possession of, and had fortified with a battery of fourteen guns, and a garrison of two hundred men; but, before they had proceeded far, the Brazilian squadron, consisting of three corvettes, three schooners, three gun-boats, and a cutter, came in sight. Notwithstanding the enemy's superiority in point of force, admiral Brown bore down upon him as soon as he got in sight of the city. The beach was lined with spectators, and many volunteers put off in boats to join the patriot squadron. An action seemed inevitable. The two patriot brigs, together with a gun-boat, were closing with two of the Brazilians, while the remaining gun-boats were closing with the Brazilian admiral's ship, the rest of the Brazilian force being near at hand. At the moment when they had got within half-gun shot, and the commencement of the action was looked for, admiral Lobo tacked, and stood off, the remainder of his squadron following him in his retreat. The patriot squadron chased them for a short distance, and then, returning, took a new position. The Brazilians continued their course down the river for some time, but having united their force, they again returned, having formed themselves in two divisions. In an hour, the two squadrons were again within gun-shot of each other, and the multitude on shore

entertained no doubt but that they would enjoy the view of a naval battle, when the Brazilian admiral again put about and withdrew. On the 9th of February, commodore Brown again left his anchorage to attack them, and, on his approach, they retired up the river. He followed them to within about three leagues of Colonia, on the left bank of the Plata, and, having come up with them, fired a broadside, which was immediately returned by Lobo, who, with another corvette, lay on each side of Brown, and continued the engagement for about an hour. During all this time, Brown suffered severely, his own brigs keeping out of the way a considerable distance to leeward. Finding this, he set sail and came in sight of Buenos Ayres, where he was again obliged to come to action, and sustained a running fight for three hours. The Brazilian squadron then stood down the river to refit, and the Buenos Ayres squadron, having saved the gun-boats, returned into the outer roads for the same purpose. In other engagements of the same indecisive character which took place during the summer, the republican commander had reason to complain of the same backwardness in his consorts, which, on this occasion, had left him almost unsupported to sustain the enemy's fire. On the 19th of October he got under weigh, having given orders to the commanders of the other vessels to follow him for the purpose of passing the Brazilian squadron; but, after they had passed the bar of the harbour in safety, and had every probability of accomplishing their design, the other vessels of the fleet left the admiral to pro-



ceed alone, and, with one exception, returned to their former positions. It was not easy to divine whether such misconduct proceeded from dislike and jealousy of a foreign commander, or regard to their own personal safety. The Brazilian fleet had been put under a new leader, Norton, but he was neither more enterprising, nor more successful than his predecessor Lobo. Though much superior in numbers, and in weight of metal, he ventured nothing more serious than the bravado of approaching the town, and uniformly retiring when the republican squadron drew near.

In the beginning of June, while great part of the republican squadron were on the opposite coast, to which they had convoyed a reinforcement of troops undisturbed, he approached the remainder lying at anchor near the town. Without leaving their anchorage, they opened their fire upon him, and he retired to a safer distance. They weighed anchor, and stood out after him, and a distant cannonade was kept up, till night separated the parties, while, in the mean time, the detachment from the republican squadron, having safely landed their troops on the Banda Oriental, had returned in safety, under the very eyes of the Brazilian fleet, which, with all its numerical superiority, had been unable, or rather did not attempt, to stop their passage.

To increase its maritime force, the government had purchased the naval armament of Chili, which that republic was willing to sell, and admiral Brown proceeded to the coast, over land, to take the command of it; but unexpected

difficulties intervened; and the ships were not ready for the voyage round Cape Horn till the following year. The privateers of Buenos Ayres made several captures. Military operations had been almost suspended, since the defeat sustained by the Brazilians in the neighbourhood of Monte Video, in the preceding October. That town still continued to be invested by the republican army, but was defended by a garrison of three thousand troops, and was regularly and abundantly supplied with provisions. Inferiority in point of numbers constrained the republicans to remain in inactivity, but the government, notwithstanding its financial difficulties, made great exertions, towards the end of the year, to augment the invading army, and send it across the Negro. The plan was, to attack the Brazilian provinces of Rio Grande and San Paulo, to which they were invited by the spirit of disaffection which prevailed in these provinces, particularly in the latter; the appearance of republican invaders was to call forth insurrection. Considering that Don Pedro's throne in Brazil was yet scarcely established; that, even in time of peace, all his neighbouring states presented a powerful seduction to his subjects in their republican forms of government, and could entertain only one common wish to see royalty, as well from opinion as for the safety of their own institutions, rooted out from the American continent; it was extreme imprudence in the cabinet of Rio Janeiro to provoke a war which increased tenfold their means of exciting discontent, and enabled them, at the same time, to take advantage of it with a good



grace. The war, at least, once begun, ought to have been prosecuted with energy, and not conducted by indecisive skirmishes; every month it lasted increased to the emperor its political dangers; success alone could deprive it of its sting.

At home, the emperor of Brazil was amusing his subjects with the re-production of a liberal constitution, two years old, and the pageant of assembling the representative legislative body. In November, 1823, he had dissolved the legislative assembly as it then existed; he had promised, at the same time, to prepare, without delay, a more liberal constitution; and, accordingly, in December he had given forth the plan of a constitution, to be submitted for discussion to a general national and constitutional assembly. This document, being officially published, was considered by the Brazilians as perfectly satisfactory; and the citizens of all the towns in the empire, beginning with the capital, expressed their approbation of it. Books were opened in which every body was invited to inscribe his assent or dissent; the assent was nearly unanimous; the books, crowded with signatures, were sent to Rio de Janeiro. The emperor considered this as a formal assent of the nation to the constitution which he had prepared, and it was accordingly promulgated as such, without losing time by calling a constitutional assembly to discuss it. The emperor himself took the oath to observe it on the 25th of March, 1824, declaring that he complied with the wish of his people assembled in Camaras, that is, the municipal councils of the different

towns and districts of the empire. It was now again formally promulgated, and orders issued for the meeting of the first national assembly to be convoked under it.

By this constitution, the government of Brazil was declared to be "monarchical, hereditary, constitutional, and representative;" the crown to descend through the posterity of Don Pedro, the first of its emperors, according to the right of primogeniture, the first line of issue being always preferable to any subsequent line, the next degree to the more remote of each line, and the elder person to the younger of each sex. All strangers were declared incapable of succession; the husband of a princess, who might be heiress presumptive, was to be selected by the reigning emperor; or, in event of his death, the choice was to be approved of by the legislative body; the husband was to take no part in the government, nor assume the title of emperor, until the empress should have become a mother—a rule borrowed from the ancient customs of Portugal. It was declared to be the prerogative of the crown to appoint all public functionaries, civil, naval, and military; to appoint all bishops, and provide fit persons for ecclesiastical benefices; to declare war, or conclude peace, making to the national assembly, in the former case, such communications as might be compatible with the interest of the state; to form treaties of alliance, defensive or offensive, obtaining, however, the sanction of the legislature, as indispensable to the validity of any treaty entered into during time of peace, which might stipulate for the cession or exchange of any part of the territories included



in, or belonging to, the empire; to distribute titles, honours, and pensions, the last, when not already fixed by law, being always submitted for approval to the assembly; to confirm, or reject, the decrees of councils, and other ecclesiastical bodies, before presenting them, in the case of approval, and of their relating to general affairs, for the sanction of the legislature; and to maintain, along with the indivisibility of the empire, and the purity of the constitution, the apostolic Roman Catholic religion. The emperor, however, was not invested with an absolute legislative veto. If both chambers of the national assembly should pass a law, he had the power of refusing his sanction to it once; and, if this prerogative were exercised, the chambers, who had met with the refusal, were to answer, "The chambers commend his majesty for the interest which he takes in the nation;" but, if two successive legislatures should approve of the law, and present it for his adoption in the same terms, it was to be "understood" that the emperor granted his sanction.

The legislative body was formed of the Senate and the Chamber of the Deputies, both of them elective, but elective for different periods. The members of the senate, once chosen, were to retain their offices for life; their number from each province was to be equal to one half of the number of deputies from that province, unless a province should have only one deputy, in which case it was likewise to have one whole senator. It was required that the senators should be at least forty years old (except imperial princes, who

were entitled to take their seats at 25), possess an annual income of 800 milreas (200*l.*) arising from property, trade, a profession, or an office; and, above all, that they should be persons "of prudence experience, and virtue,"—one of those requirements on which all the value of a constitution depends, but which is in no degree aided by being fairly set down in a paper constitution. It was made the exclusive duty of this body to take cognizance of all offences committed by members of the imperial family, ministers and counsellors of state, senators and deputies during the period of their legislative existence; in other words, to try impeachments. The mode of election of the chamber of deputies was indirect; provincial assemblies, or colleges, choosing provincial delegates, and these again electing the deputies of the province in a certain proportion to its population. The elective franchise was vested in all citizens, twenty-five years of age, possessing an income of an hundred milreas (25*l.*), except servants, monks, and the regular clergy; but the qualification for a provincial elector was fixed at two hundred milreas (50*l.*), and the qualification which should entitle the possessor to be elected a deputy, at double that sum; one half of the qualification required in a senator. The chamber was to be renewed every four years; and was to enjoy the exclusive privilege of originating all laws relating to taxes, the raising of men and the selection of a new dynasty for the throne whenever a reigning one should become extinct.

These two bodies formed the National Assembly, which was to



meet every year on the 2nd of May, the session to continue for four months. Its most important powers were, to fix the annual expenditure, and the amount of direct taxation; to determine, on reports presented by government, the extent of the naval and military force to be maintained; to regulate the administration, and disposal, of the national property; to create or suppress public offices; to give, or refuse, its sanction to the introduction of foreign forces, naval or military, into the interior, or the harbours, of the empire. Its members were to receive wages for their legislative services; they were not to be answerable for any opinion which they might express; their persons were declared exempt from arrest; and, if any action should be brought against a legislator, the judge before whom it might come was to intimate the circumstance to the chamber of which the defendant was a member, that it might decide whether or not he ought to be suspended from his functions.

In relation to the administration of justice, the constitution introduced juries, declared the judges to be irremovable, and gave a right of popular action against them for subornation, corruption, peculation, and extortion—a provision which, unless guarded by very strict practical restraints, threatened to render the office of a judge no object of envy; for, of all men, disappointed litigants are most apt to accuse their judges of corrupt motives, and deceive themselves into a belief that their suspicions are correct. This charter, likewise, contained within itself a species of *habeas corpus* act. Every person arrest-

ed was to receive within twenty-four hours after he had been sent to prison, a written note from the magistrate by whom he had been committed, setting forth the cause of his imprisonment, the names of his accusers, and the names of the witnesses against him, so far as they might then be known. In all cases in which the punishment could not be higher than six months imprisonment, or banishment from the arrondissement, the accused person was to be allowed to remain at large; in all other cases, bail was to be taken, except in military offences, or imprisonment for debt, or contempt of court. The liberty of the press, without a censorship, was established, writers and publishers being made responsible in a court of law.

One of the most striking features of this constitution was, the provision which it made for giving the great body of the population a direct influence in the local administration of the provinces. In every province there was to be a provincial council, consisting of twenty-one members in the more populous provinces, and of twelve in the less populous, chosen at the same time, and in the same manner, with the deputies to the national assembly, enduring for the same period, and holding annually a session of two months continuance. It was the business of these councils to discuss, and deliberate upon, all matters touching the interest of their particular districts, and, if they should think proper, to transmit their resolutions to the emperor, that they might be enforced by his authority, if he saw reason to adopt them, or be proposed to the national as-



sembly as *projets de loi*. These constituted political bodies evidently might have become very embarrassing companions to the general government, if they had been allowed to extend their constitutional powers beyond the sphere of merely local interests; and they were, therefore, prohibited from introducing the general affairs of the nation among matters of discussion which might arise between different provinces, taxes, or the execution of the laws.

The National Assembly met on the 6th of May. Its deliberations were almost entirely of a preparatory nature. Both chambers unanimously passed an act, recognizing the eldest son of the emperor, born in October, 1825, as successor to his father, a ceremony which the constitution required to be performed by the assembly during its first session after the birth of an heir apparent. The emperor prorogued them on the 6th of September.

The emperor thought it his interest to accede to the congress of republics which was to be assembled at Panama, although probably with the design of watching and impeding its motions rather than of cordially seconding its resolutions; and, at the same time, he maintained most amicable relations with his singular neighbour doctor Francia, Dictator of Paraguay, and the enemy of all the republics. Brazil and Paraguay were natural allies against Buenos Ayres. Paraguay had formed part of the vice-royalty of the river Plate; it had been peopled by the Spaniards almost before any other province of the vice-royalty; and the descend-

ants of the Spanish settlers formed a considerable population, among whom the spirit of provincialism prevailed in a higher degree than even in any other part of South America. Partly from this circumstance — partly from their secluded and inland situation — and partly from the inconsiderable progress which they had made in any species of improvement or industry, — the Paraguayans were little affected by the convulsions of the surrounding countries. Shortly after Buenos Ayres had asserted its independence, the junta of that state despatched a force under general Belgrave, to expel the Spanish authorities from Paraguay. The Paraguayans, however, supported the Spanish governor, and the invaders were defeated. In the following year, the inhabitants of Assumption deposed the governor, and established a junta, which refused to acknowledge the authority of Buenos Ayres, or to have any political connections with that neighbour. Under these circumstances it was that Francia, who was an advocate by profession, contrived to raise himself to supreme power, by means of his great family connections with many of the principal landed proprietors. His system of policy was, to prevent, as far as possible, any intercourse with foreign countries; thereby at once confirming his own power, and flattering the prejudices of the Paraguayans, who conceive themselves to be a chosen race, superior to the rest of mankind. So pertinaciously did he adhere to this non-intercourse system, that a foreigner who was found within the limits of Paraguay was seldom permitted



to quit it at his pleasure. He applied himself sedulously to the improvement of his military forces, and was a determined enemy of Buenos Ayres, who looked upon Paraguay as part of their own possessions, and on Francia as a rebel, or at least an usurper. Nothing but want of force had hitherto prevented the arms of the confederation from being turned against the dictator; and the dictator, therefore, found it to be his interest to draw closer to so powerful an ally as the emperor of Brazil. Bonpland, the French naturalist, had been detained for several years at Assumption, the ordinary fate of scientific travellers who imprudently trusted themselves in the power of Francia; for such persons he uniformly detained, from no other apparent motive than to keep the rest of the world in ignorance of the state of his own sovereignty. Don Pedro took advantage of an application which he made for the liberation of Bonpland, to open a negotiation with the supreme director, and expressed his willingness to guarantee to him the province which he had so long governed. Francia replied that he had envoys in Europe treating with the Spanish government, and he would introduce no change till their mission was ended; but, if Spain refused to receive his commissioners, he would then treat with Brazil, and send M. Bonpland to Rio Janeiro as his plenipotentiary.

In the united provinces of the river Plate, Rivadavia was again elected President, almost unanimously, and found himself at the head of a government, involved in the most embarrassing financial

difficulties. No greater error had yet been committed by the united provinces than the hurrying into an expensive war, without any urgent necessity, at a moment when their Treasury was in no condition to bear the burthen of a costly and protracted struggle. The means, too, adopted by the government to supply its wants, and maintain its credit, were to the full as bold and uncalculating as had been its attack upon Brazil.

The Congress had lately established a national bank, and it now enacted, that, for the two following years, the bank should not pay its notes in cash, except during the last six months of the year following the date of the law, to the amount of one-third of the notes in circulation; during the next six months, to the amount of one-half of its circulation; during the last six months of the second year, to the amount of two-thirds of its circulation; and, even to the partial extent in which payments in specie might be required, they were to be made only in ingots of the value of a thousand dollars, and of five hundred dollars. At the same time, it was decreed, that the notes should be current for their nominal value throughout the whole of the territory of the republic. This was a new experiment in finance; it was the first time that the world had seen the establishment of a national bank, followed almost immediately by a declaration of its inability to meet its engagements, and by a suspension of cash payments. It added not a little to the singularity of the transaction, that this forced circulation of paper money should have occurred in the very region of gold and silver, and in



a state whose very name, in some measure, connects it with metallic wealth. Another extraordinary circumstance was, that, in this state of affairs with a newly established bank unable to pay in specie, and its notes enormously depreciated, its sanguine contrivers gravely talked of establishing branch banks in the different provinces, and expatiated on the benefits which would accrue from the wide circulation of this depreciated paper money. The public sanction thus given to such a currency tended only to involve the government in further pecuniary difficulties. As the notes of the bank were to be received, in payment of taxes, at their nominal value, the real amount of the revenue was diminished in proportion to their depreciation; and it was scarcely in a season of difficulty like that which now existed, when the sources of revenue, such as they might be, were all deranged by war, that Congress would venture to impose new burthens to supply the deficiency, or that the executive could have means of compelling the payment of them. On the other hand, many of the expenses of the government were of a kind in which the notes of its bank could be of no use. British and American merchants would not accept them in payment of naval and military stores, nor would they be taken in London in discharge of the interest of the debt of Buenos Ayres. In such a state of things the confederation could hold out little hope of being able to meet even the necessary charges of its own internal administration, much less to provide for the expenses of a pro-

tracted war with Brazil. The annual expense of the war department alone threatened to be ruinous; the Customs, in consequence of the blockade, had become utterly unproductive; specie had disappeared; dollars were procured from the interior, for the purpose of making remittances to Europe, at a premium of forty per cent. The paper of the bank was the only circulating medium; and the government had ruined the character of that paper by its own deliberate act.

A spirit of disunion among the states which compose it, and a jealousy of Buenos Ayres, were two of the greatest disadvantages that the confederation of the Rio de la Plata had to struggle with. The latter disposition could not be allayed by an act passed during this session of congress, declaring Buenos Ayres the capital of the republic, an empty honour which might have been formally assumed at a more favourable opportunity, while her situation, her wealth, and her strength would have sufficiently secured the natural influence of the province. The spirit of disunion which threatened to make the states burst the bond of confederation in which they were united, and deprive the general government of every thing but the shadow of efficient controlling power, was manifested in the inability of that government to perform its public and solemn contracts. On its establishment it had formed the design of aiding its resources by the mineral treasures of the country, and had endeavoured to allure from foreign countries the capital for working its mines which its own subjects were unable to supply. Its func-



tionaries sent directions to their agents in Europe to form an association for the purpose of working the mines within its limits. This company was formed under the name of the Rio de la Plata Mining Association; the government contracted to assign to it certain mines as the subjects of its operation; the capital was subscribed; a considerable expenditure was incurred, and ultimately it turned out, that the undertaking was a hopeless enterprise, because the government which seduced the share-holders into it, had not strength enough, or honesty enough, to fulfil its own engagements. The provinces thought fit to dispose of their own mines according to their own views, and disavow the contract of the general government. An agricultural and emigration association, formed under the same auspices, shared a similar fate. How could a government come into any money market in Europe to raise a loan, when it had already shown itself unable, or unwilling, to observe the most solemn engagements?

Financial embarrassment, disregard of public credit, and internal dissension, manifested themselves still more distinctly in Colombia. In some of the provinces, and especially in Venezuela, and Apure, there had long been a strong spirit of discontent with the existing central form of government, and a decided superiority of opinion in favour of a federal constitution. By the fundamental laws of the republic, however, no congress was to be held, for the purpose of revising or altering the constitution till 1831; but the example of Vene-

zuela proved how little fundamental laws were to be regarded, how feeble the bond was which held the provinces together, and how completely the general government was dependent upon military leaders. General Paez, the military commandant of Venezuela, had been, next to Bolivar, the most distinguished leader in the revolutionary war. He was himself a mulatto; his division, consisting almost entirely of mulattos, was the flower of the Colombian army, and his cavalry, in particular, had been the terror of the hussars of Ferdinand. Living in a perfect equality with his men, sharing their sports, their exercises, and their meals, he was the idol of his own formidable troops, and a general favourite throughout the army. Though possessed of this dangerous power, he had hitherto been a quiet subject of the government of Bogota, and had been content to act a secondary part to Bolivar, who had gained him by prudence and affability: But an act of the government, which he thought injurious to his honour, convinced the executive, that he was little inclined to submit in all things to its constitutional authority, and that he was both able and willing, if much provoked, to dissolve the whole confederation into its original elements. By a law of the general Congress for the organization of a militia, every male throughout the republic, between the ages of sixteen and fifty, had been required to enrol his name for service. When the decree of the executive for carrying this law into operation appeared, great and general opposition to it was manifested, and the government, justly



apprehensive of the consequences of popular discontent, enjoined those who were engaged in giving effect to it, to use the utmost circumspection. General Paez had taken upon himself the responsibility of suspending its execution in Venezuela altogether, until, in December 1825, he was induced to enforce it, in consequence of real, or pretended, apprehensions of a rebellion among the slaves of the province. Twice, in the course of December, he had summoned the inhabitants of Caraccas by proclamation to assemble for the purpose of being enrolled; but the proclamations were unheeded; of itself a sufficient proof of the utter feebleness of the government. He issued a third proclamation on the 6th of January, intending, as he himself expressed it, "to make them feel my authority, and to proceed with an energy becoming the honour of the military power." This proclamation was no better obeyed than the others had been, and Paez forthwith had recourse "to military energy," filling the streets with patrols, who seized the citizens, and dragged them by force to the barracks. These arbitrary proceedings were suspended only by the interposition of the intendant of the province, and the conduct of Paez was represented to the executive in no favourable colours, while the executive itself did not dare to show much favour towards an officer who had exposed its decrees to popular odium. The complaints of the public of a violation of their civil rights by military force were loud; the national Congress was sitting; the municipality of Caraccas denounced Paez to the House of

Representatives; that body, in the absence of Bolivar in Peru, whose prudence might have quenched the rising flame, took up the subject with great warmth, and sent up an impeachment of the general to the senate. The senate admitted the accusation, and a decree was issued on the 30th of March, depriving Paez, in the mean time, of his command, and calling him to Bogota to answer the charges which had been preferred against him. To neither of these mandates was the haughty soldier, surrounded by his troops, over whom his authority was absolute, inclined to pay any obedience; and he knew well that the appearance of momentary submission would instantly call forth the hosts of his adherents. Although, therefore, he made no preparations for proceeding to the capital, he opposed no ostensible resistance to general Escalona, who had been appointed his successor, assuming the command of an army, which he was perfectly aware would not submit, without his own orders, to have any commander but himself.

The decrees of the senate admitting the impeachment, and suspending the general from his command, were promulgated at Valencia on the 29th of April. Paez professed the most implicit deference, and expressed his willingness to comply with the orders of the general government. But the troops, as he had expected; immediately broke out into open revolt, demanded the restoration of Paez to his command, spread alarm and tumult through the town, and murdered several persons whose views were supposed to be hostile to them. The mu-



municipality joined them in their clamours, not probably so much from any wish to see retained in his command the very officer of whose arbitrary proceedings they themselves had complained, as from inability to resist the soldiery, and the necessity of submitting to them to preserve the city from bloodshed and pillage. Not satisfied, however, with restoring him to his military command, which, of itself, was setting at defiance the powers of the general government, the municipality assumed all the privileges of independence, and conferred upon Paez the supreme authority of the province, civil as well as military. The general accepted it, with many protestations of reluctance and moderation, the usual marks of rebellious ambition. "The entire population," said he, writing to Bolivar, "assembled in the municipal hall, loudly demanding that the decree from Bogota should be suspended, and that I should be retained in the command, I accepted the charge, because I thought it necessary to the maintenance of good order, and my authority was instantly recognized by the troops." He immediately issued a proclamation, on the 3rd of May, declaring that his removal had been obtained by the importunities of his personal enemies, and was an outrage upon the national honour. "The people," said he, "through the organ of the military intendant of Valencia, sanctioned by the legitimate authorities, have restored to me a power which I had resigned in virtue of that subordination which has ever marked my military career; but I have thought fit to take upon myself the office

with which public opinion has invested me, because I could not neglect the demonstration of affection towards me shown by my countrymen, nor see them, with indifference, exposed to internal disorders, at a season when I have the most powerful reasons for dreading the one and the other. "I shall second the object of this movement by maintaining the public tranquillity with the armed force under my orders, and by securing the other benefits arising from it; and this force shall not interfere with the resolutions of the people in the exercise of their sovereignty for the provision of their welfare and security." The meaning of all this simply was, that he applauded the province for having set the government at defiance, and that the people, in the exercise of their sovereignty, might act as they pleased, provided they did not interfere with his control over the army, or the control of the army over them.

It is not probable that the merely personal interests and ambition of Paez would have made his quarrel be adopted as a popular cause throughout the province. In all his communications with Bolivar, he complained bitterly of general Santander, the vice-president, as abetting and forwarding intrigues which were intended for his ruin; but the popularity of Santander was proof against the ebullitions of his irritation. On the 15th of May, the vice-president tendered his resignation, but it was refused by Congress almost unanimously, only five members voting that it should be accepted. Paez, therefore, immediately secured his own personal interests, by wedding



them to a cause much more generally popular. Taking advantage of the public feeling which existed in favour of a federal form of government, and of the popular jealousy of the central government of Bogota, he proclaimed himself as seeking only these popular objects, the independence of Venezuela, purity and reform in the administration, and the immediate convocation, for the purpose of obtaining them, of the grand convention of the Colombian provinces, which the constitution had fixed for 1831. He professed, at the same time, and probably felt, the most submissive disposition towards Bolivar, and urged his return as a certain means of securing to the province the fulfilment of its wishes, without encountering the evils of a civil war. The most important cities of the province, all sharing the same feeling, followed willingly so powerful a leader in a cause to which they were cordially attached. Victoria and Puerto Cabello were secured by his officers Marino and Cala. In the city of Caracas, a general assembly of the municipality and inhabitants unanimously adopted the resolutions of Valencia. They declared it to be necessary to invest general Paez with authority for the maintenance of public order, for raising armies, and preserving regularity in the public administration. This authority he was to retain, under the title of "Civil and Military Chief of Venezuela;" until, on the return of Bolivar, the people should be convoked to deliberate on a form of government more consonant to the locality, the customs, and the productions, of the province. It was,

likewise, resolved to despatch a messenger to Bolivar in Peru, to hasten his return, and request him to use his influence with other departments to procure the immediate convocation of the grand convention. Paez proceeded to exercise the powers conferred upon him. He was in the singular situation of having become a popular leader, in consequence of his disobedience to orders which had been directed against him, in obedience to popular clamour; and he had the boldness, under the shadow of his irregular authority, to venture upon the very measure which had excited that clamour against him, when he acted as the organ of the constitutional government. He issued a decree, ordaining every person between the ages of sixteen and fifty to appear, to be enrolled in the national militia. To assist its operation, he declaimed upon, and magnified, the dangers of invasion to be apprehended from the Spanish squadron which was still hovering in inactivity about the shores of Cuba. To raise money, he called upon the merchants of La Guayra and Caraccas to grant a voluntary loan to the provisional government of 24,000 dollars, for the payment of the troops, by monthly instalments of 4,000 dollars, to bear interest at the rate of one-half per cent per month. Some small sums were subscribed; but the authorities, seeing that they were altogether inadequate, changed the voluntary, into a forced contribution, every man being rated according to the arbitrary estimation of the intendant.

Amid all these proceedings, every one of which was utterly



subversive of the Colombian constitution, and inconsistent with any idea of an existing central authority, the government of Bogota was miserably helpless. Congress was compelled to see the public officer whom it had impeached, treating their authority with scorn, and setting them at defiance with arms in his hand. The executive saw its commands disobeyed, and its authority usurped, by the subordinate functionaries of one of its own provinces, usurped, too, for the very purpose of destroying its own existence. In July, the government issued a manifesto, addressed not only to the republic, but, as it was somewhat pompously added, "to the world," detailing the history of the Colombian confederation, and denouncing Paez as having scandalously violated his duty and his oath. They reminded the people, that, although the distress in which the republic had been involved by its long and ultimately successful struggle, was great, and although, even with the assistance of the loan from England, it could scarcely meet its engagements, yet the generals and officers, who had fought for its independence, were treated with the utmost consideration and generosity, and had received all the honours and emoluments that the gratitude of their fellow-country-men could devise or afford. Paez, the general in chief, more than all the rest, had been the object of the preference of the executive government: he had been authorized to grant whatever promotions he saw fit in the army under his command; and though he had made most unsparing use of that privilege, the government,

from its unhesitating confidence in his prudence and discretion, had confirmed all his appointments. But, although his ingratitude had produced momentary confusion, the government expressed its conviction, that the conduct of the public functionaries, and of the towns under the command of Paez, was to be attributed solely to their incapacity to resist armed violence, and its confidence that, with the exception of a few blind partisans of his seditious projects, the bands of Venezuela were not contaminated with the spirit of mutiny or disobedience. The assertions of Paez, that he spoke the voice of the people, were utterly falsified, said the manifesto, by the conduct of the authorities, civil and military, of the neighbouring departments, whose conduct, at such an eventful crisis, gave unquestionable proofs of the stability of the republic, and afforded a speedy prospect of the re-establishment of internal tranquillity. Finally, the government declared, that Paez had violated every article of the constitution which had for its object the maintenance of order, tranquillity, and good government, and that by his conduct the social compact had been torn, and the constitution trampled under foot.

That such was the character of the conduct of Paez, in so far as it regarded the central government, was perfectly true; but unfortunately that government could neither prevent nor punish; unavailing complaints, and impotent indignation did not add either to its dignity or authority. To attempt to check the spread of disaffection by military force,



and to dissolve the sect of which Paez had prudently declared himself to be the head, was hopeless. Paez declared frankly to Bolivar his determination to resist to the uttermost any force which might be sent against him. "I cannot answer for tranquillity," said he, "if the government of Bogota have the imprudence to discharge a single shot. I have undertaken the protection of this people; I have sworn that they shall not be molested, till their enemies have passed over my body. I will not be the aggressor, but I will take vengeance for any insults which may be offered to them, until they forsake me. Without your excellency, civil war is inevitable; and, should it once commence, I feel that, from the character of this people, there is no hope of its termination, until all be reduced to ashes." Such was the language of the Colombian government held by one of its own officers, and such the deplorable condition of its civic union. While it was compelled to stand by in idleness, the example of Venezuela was rapidly spreading. The desire to shake off their dependence on the central government spread from province to province. The municipality of the department of Guayaquil addressed an application to the government, praying that the constitution should be immediately revised and altered. The government replied, that the executive could not, without a breach of duty and a violation of oath, anticipate the period originally fixed for that purpose; that the federal form of government demanded by the discontented was essentially weak; and that the disobedience of

Venezuela alone, and part of the province of Apure, furnished no reason why the other states composing the republic should consent to the violation of a fundamental law. But to Venezuela and Apure was now added Guayaquil itself: they were speedily followed by the departments of the Isthmus, Azuay, Zulia, Magdalena; and, in a few months after the first defection of Valencia, no fewer than seven departments had declared themselves ready to throw off their connection with the central government, and to frame for themselves a new constitution. So unsteady and inconsequent were some of these Neophytes in the cause of regular liberty, that, at Quito, they voted that all liberty should be suspended, and Bolivar declared Dictator; expressing a hope that the other departments would unanimously adopt a similar measure. To such communications, Santander, the vice-president, answered, that he recognised no acts inconsistent with the political code which the executive had received from the Colombian people, and that, so long as a single town adhered to it, he would support it with his life and fortune; that there was no necessity for the "absolutely detestable" proposition to create a Dictator; and that the president, as chief magistrate, would find in the constitution itself, all the powers necessary to save it from foreign or domestic assaults.

Venezuela, in which the discord had begun, proceeded more formally than any other province to remodel its institutions. In consequence of a report by the recorder of Caraccas, which re-



presented, with a melancholy degree of truth, that, by the late political events in the departments to the westward, the republic of Colombia had been resolved into its original elements, that a new compact was, therefore, to be formed, and that all the resources of Venezuela and Apure, which had uniformly acted in concert, would be demanded by the crisis, a meeting of the authorities took place at Caraccas, at which Paez presided. At this meeting it was proposed, and carried by acclamation, that the departments of Venezuela and Apure should declare themselves to be pure federal states, and invite the other departments of the dissolved republic to confederate with them. Paez declared, that since the 30th of April he had sworn not to obey the government of Bogota, and was determined to keep his oath—a plain avowal that he at least acted from motives of personal irritation; but he was willing to resign the power with which he had then been invested, if his continued possession of it were any obstacle to the formation of a new government. As a matter of course he was successfully intreated to retain, in the mean time, his civil and military supremacy; and he was requested to issue, at his discretion, the necessary orders for the assembling of the existing electoral colleges, and for the formation of them where none existed, in the provinces under his command, in order that, by conforming in this particular to the existing constitution and laws, regulating the number and qualifications of the representatives forming the congress of Colombia, a proper number might be elected for the pur-

pose of assembling at such time and place as his excellency should appoint. A similar invitation was to be given to all towns and cities comprehended within the ancient limits of Venezuela; should they think fit to concur in this compact, they might send their representatives, who would be received as brothers, even although the session should have already opened. The meeting further resolved that, till the new assembly could be convoked, the government should remain as it had been settled by the municipality of Valencia on the 30th of April, the laws of Colombia being retained in every thing consistent with the present reforms and alterations; and a resolution declaring that “whatever may be the political situation and rank which Venezuela may hold among the States of America, she will be always faithful to the obligations contracted with foreign nations and individuals, by diplomatic treaties, or pecuniary contracts, in such proportion thereof as belongs to her, in common with the rest of Colombia,” was received, when scarcely announced, with such deafening acclamations of applause, as prevented all discussion or examination, as if the pompous promulgation of a promise, and the actual payment of a debt were synonymous.

Paez, in conformity with these arrangements, promulgated a decree on the 13th November, regulating the election of the deputies. The qualifications already required in the electors and candidates to the general congress were retained; but he decreed that the number of deputies returned by each electoral college should be doubled, and the constitution was



rendered more purely democratic by the suppression of the senate. The deputies were to be paid out of the funds hitherto set apart for payment of the deputies of Bogota. One sweeping article in the decree, which ordained that "all persons, without exception, who should directly or indirectly oppose the elections, or any part of the decree, should be fined and punished as a traitor," placed the life of every man at the mercy of a wild and vague law, administered by fiery party zealots. The assembly was to meet at Valencia on the 15th of January, in the following year—and thus the republic of Colombia found that its members neither had, nor thought they had, any common interest, and that it was utterly impotent in itself to prevent local jealousies, or personal ambition, from dashing it in pieces. It was fortunate that the revolution had proceeded so far without bloodshed. Some lives, indeed, had been lost at Truxillo, in the department of Zulia, but the affray was more the result of a drunken quarrel between the garrison and some of the troops of Paez, on their march to Varmas, than the open contention of opposite political opinions. The only attempt to support by force the authority of the government of Bogota, within the revolted provinces, was made by general Bermudez, who, from Carthagená, had thundered forth threatening and impotent proclamations, announcing the speedy annihilation of Paez and his rebellious adherents. Cumana having declared for the federal system adopted at Caraccas, Bermudez contrived to make himself master, with about four hundred men, of one of the

batteries at the mouth of the Cumana river, where he was joined by general Monayas, who commanded in the town. The greater part of the inhabitants expecting a bombardment, fled, some to Bermudez, and others to the opposite shore; but the great mass of the population determined to resist; and, as the militia had joined the federal cause, colonel Ruiz, who took the command after the desertion of Monayas, found himself at the head of several thousand men. He made a sally on the 19th of November, and defeated Bermudez, who, after sustaining considerable loss, retired to Barcelona, leaving the town unmolested.

It was only the influence and authority of Bolivar that could check these ruinous dissensions; and Bolivar was lingering in Peru, where the war had been already triumphantly finished, detained partly by the discovery of a conspiracy directed against himself, and partly by a wish to secure his power more firmly than the spirit which produced that conspiracy seemed willing to permit. Early in August, however, he had despatched a confidential person to the Intendant of Caraccas, to explain his views regarding the present state of affairs in Colombia, and proposing that the constitution which he had just framed for the new republic of Bolivia should, with some modification, be adopted at home. He left Peru in the end of August, and arrived at Guayaquil on the 12th of September, where he immediately issued a proclamation, taking upon himself all the blame of the dissensions which had occurred, and speaking of them much more in



the style of a bad rhetorician, than of a practical statesman. "There is only one individual guilty," said he, "and it is I, because I did not return sooner. Let your blows be directed against me: they will be welcome to me, if they can assuage your resentments. I am now on the soil of the commonwealth, let there be no more Venezuela, or Cundinamarca, we are all Colombians." His influence, however, acquired by great services, prudence, and moderation, the respect which both parties entertained for him, and the confidence which they reposed in him, rendered his journey a scene of triumph over even internal dissensions. Both parties had equally marked his return; they had appealed to him as an arbiter and mediator. His presence and persuasion, in addition to his authority as head of the executive, immediately recalled several municipalities from their errors, and re-established constitutional order in the departments of the Equator, Guayaquil, and Azuay. He exasperated neither faction, and was sparing of punishment: in one department he removed only the intendant; in another, only the commandant general. He was indulgent to the errors, and sympathized with the wounded feelings, of Paez; Paez was personally attached to him; and the breach between Venezuela and the republic seemed, for the time at least, to be again healed.

The finances of Colombia were already in no flourishing state, and these scenes of civil discord, cutting off, as they did, the sources of the common revenue from the treasury of the government which had contracted common debts,

added greatly to its pecuniary embarrassments. The executive seemed inclined to act with perfect good faith towards its European creditors: nay, so anxious was it to make provision for the payment of the interest on its loans, that the agent at Bogota of Goldschmidt and Co. the contractor for the last loan of 4,750,000*l.* negotiated in London, having applied in March to the minister of finance for information as to any measures which had been taken to insure payment of the dividends, that minister replied on the 8th of April, that the government had already provided the funds necessary to discharge the interest which was to become due in July, and that instructions to this effect had been communicated to the minister of the republic in London. "Thus," added M. de Castillo, "even the delay has been foreseen which might have taken place in the payment of the bills drawn for this purpose, and negotiated in Peru." But Colombia, in trusting to these Peruvian bills, was leaning on a broken reed. The matter stood thus: Colombia had incurred enormous expenses in supporting the independent party in Peru in their successful contest against the mother-country; she justly thought herself entitled to re-imbursement, and had made an arrangement with the Peruvian government by which part of these expenses were to be repaid within the year. The latter, in the beginning of the year, was about to negotiate a loan in London; part of that loan it was to set aside for a repayment to Colombia; and the part so set aside Colombia appropriated to the payment of the interest on her own European debt;



the necessary bills were drawn upon the Peruvian agents in London, by whom they were to be paid to M. Hurtado, the Colombian minister; these were the funds to which Colombia trusted as providing for the payment of her dividends long before they were due, and these were the bills to which her minister of finance referred in his answer to the agent of the contractors on the 8th of April. It was a great and provident error in the Colombian government, possessing independent revenues of their own, to risk their public credit, on the resources and punctuality of a state so much less settled than their own, as was that of Peru. Unfortunately the pledges which Peru could give were not such as to satisfy those from whom she wished to borrow, and the application of her commissioners for a loan was made just at the time when the money market in London was at a stand, when mercantile confidence was gone, and when even English merchants, who, of all men, are most safely trusted, found their credit of no avail. Peru was unable to obtain a loan; the Colombian bills drawn upon her agents were dishonoured; and the Colombian government found itself, all at once, under the necessity of providing, if possible, other funds for the payment of dividends, for the discharge of which she had implicitly trusted to the ability of her neighbour to borrow.

So soon as this disappointment was known at Bogota, Santander, in virtue of the powers vested in the executive by the constitution, convoked an extraordinary session of congress for the 3rd of May, for the purpose of devising means

to meet the pecuniary engagements of the republic. When they met, he told them in his message, that the executive had received the disagreeable intelligence that it could not dispose of the funds with which it had intended to pay the interest due on the foreign debt, and provide for the gradual extinction of the capital. "Government," said he, "had well-grounded hopes that the successive improvement of our finances, and the reductions which would be made in the public expenditure in the war department, would leave means sufficient to meet the pecuniary engagements of the republic, without its being necessary to burthen the people with fresh contributions; but, as the improvement of the revenue is not the work of a moment, and it would not be prudent in our present state to diminish the army, the executive had appropriated a part of what was owing us by Peru for the payment of the interest of the foreign debt during the present year. The government of Peru determined to negotiate a loan in Europe, to facilitate the reimbursement of the debt it had contracted to the republic of Colombia; but, from circumstances which were not within its control, the negotiation was not successful. In consequence of this unexpected occurrence, the executive sees itself surrounded with serious difficulties, which you alone, from the nature of your functions, are able to remove. The honour of the nation being deeply involved, and our public faith being compromised, I have judged it absolutely necessary to convoke congress on an extraordinary session."



Congress immediately enacted two laws to meet the emergency; and, if good intentions as to the disposal of revenue could have produced the revenue to be disposed of, the creditors of Colombia would have had little reason to complain. By the first of these laws, bearing date the 15th of May, the amount of the national debt, both foreign and domestic, was clearly ascertained, and distinctly recognized. The foreign recognized debt was 6,750,000*l.* viz. 2,000,000*l.* of the loan of 1822, and 4,750,000*l.* of the loan of 1824; and of this debt it was enacted, that it had yielded, and should continue to yield, to the creditor, interest at the rate of six per cent. The domestic debt was of two kinds; first, a sum of about two millions of dollars, consisting partly of sums ascertained by the commission of liquidation, and partly of a loan contracted in 1823, to cover the expense of equipping the troops of Apure; such parts of this debt as had hitherto borne five per cent were to continue at that rate of interest, and such parts as had hitherto yielded less were to be raised in future to five per cent: Secondly, sums remaining due as the value of military property, which, in 1821, had been declared to belong to the servants of the republic, to the amount of 5,458,600 dollars, the half of the allowances to civil and military officers which had been withheld for the public service in 1819; and the third of their pay which had been withheld from the same persons in 1821: these debts were to bear interest at the rate of three per cent from the 1st of July, 1826. For the payment of

the interest of the foreign debt, and the gradual extinction of the capital were set apart, 1, All the clear produce of the revenue of tobacco; 2, one-eighth of the produce of the customs; 3, the whole produce of the uncultivated lands which might be sold or let; 4, the whole produce arising from the sale or farming of the mines of every kind of metal belonging to the republic; 5, the surplus of the branches of the revenue appropriated to the payment of the interest of the domestic debt. The branches of revenue set apart for this latter purpose, again, were:—1, The revenue arising from the mortgages, and sequestered or confiscated property not yet adjudicated; and the revenue arising from the property sequestered or confiscated in 1821 and 1824; 2, the revenue arising from the property of Majorats, which were to be included in the national property; 3, the revenue of lands and other property within the territory of the republic, belonging under any title whatever to the republic as national property; 4, the revenue of property and temporalities which had not been alienated or adjudicated; 5, the revenue of the property belonging to the extinct inquisition not yet transferred or adjudicated, these branches to be appropriated solely to the extinction of the capital; 6, the revenues arising from mortgages on real property condemned, and which might be realised in money; 7, the clear produce of the stamps, and the fines arising from the infraction of the stamp acts; 8, the produce arising from the notification of hypothecs, and the registration



of deeds and titles; 9, the produce of the duty on auctions or sales; 10, the ninth of the tithes which were to be consolidated; 11, ten per cent on all municipal revenues; 12, that part of the tithes allotted to dignitaries, canonships, prebendaries, and deaneries, which might be vacant, or should become vacant in the different cathedrals of Colombia; 13, the fines liable to be paid for infraction of conditions, under which exclusive privileges have been granted—or for the non-fulfilment of contracts concluded with the executive; 14, the revenues and property formerly appropriated to the college of Nobles at Madrid. The law further laid down various rules for keeping the accounts of the public debt; and provided, “that the commission of public credit should place at the disposal of government the sums appropriated to the payment of the foreign debt, in order that the payment might be punctually made, and the said sums not be otherwise applied.” The interest of the domestic debt was to be paid half-yearly, in January and July.

The second law had more immediate reference to the pressing dividends of the foreign debt due in May and July. It authorized the executive to employ for that purpose all arrears, disposeable debts, and balances due to the treasury: if these should be insufficient, all of the public revenue which should remain after deducting the expenses of the administration was to be applied in the same way; and all previous appropriations which might interfere with these provisions were suspended, excepting those contained in the preceding law.

But these enactments could neither insure activity and honesty in the collection of the revenue, nor prevent the misapplication of revenues which were collected. Exactly two months after the date of the first of the above laws, the minister of finance in a circular to the intendants of the different departments, recommending to them to keep a strict watch over all persons employed in the collection, management, and distribution of the revenue, found himself compelled to admit that “unfortunately the dilatoriness of some, the repugnance of others to insist upon the exact execution of the laws, the propensity to defraud the government of the duties on importation, exportation, and monopolized articles, arising partly from habits contracted under the former government, partly from the impunity upon which they rely, keep the public treasury exhausted. The government has not proof to bring this charge home to any of the persons employed; but, as the results concur pretty generally with the reports afloat, I am bound to mention it to you for your information in the government of your department.” The May dividends were already due, and when the 15th of July arrived, on which the dividends of the second loan were payable, not a single dollar had been transmitted to meet either the one or the other. The bond-holders, indeed, had the declarations of the law in their favour; but the law did not produce money; and even the sums which, it would appear, had been collected for the purpose of being sent to Europe, were immediately applied to other purposes in vio-



lation of the law. A Mr. Foley left Bogota on the 4th of July with 240,000 dollars; but when the money arrived at Carthagena, an order from the executive commanded that 40,000 dollars should be immediately paid to the troops, and that the remainder should be detained until further instructions. The troops in Panama, Carthagena, and Santa Martha, had all large claims for arrears; the government, in existing circumstances, could not use liberties with debts due to them; for the troops of Venezuela and Apure had formally declared themselves against the constitution. The consequence was, that no portion of the dollars reached Europe, the dividends remained unpaid, and Colombia was bankrupt. Yet, even in October, a policy was opened, and under-written in London, by the authority of the Colombian minister, to insure 160,000*l.* from Carthagena to London, when not a dollar was ready to be shipped, and the whole treasure in the mint of Bogota did not exceed 300,000 dollars. The consequence was, a temporary rise in the price of Colombian stock and immediate disappointment. Mr. Foley had powers to negotiate a new loan, or obtain the necessary advances from private individuals, on the security of the custom-houses at La Guayra, Carthagena, Guayaquil, &c.; but the attempt was not more successful than it was modest.

The Congress, during its ordinary session, introduced the warehousing system by an act which declared Puerto Cabello, and Carthagena on the Atlantic, and Guayaquil on the Pacific, to be

ports of deposit for all kinds of goods and merchandise. The goods imported were to remain in the warehouses of the customs until taken out for the purpose of being sold, or re-exported, and were to be charged, in the interim, with a duty of four per cent on the amount of the invoice, the duty being payable when they were taken out. If taken out for sale, the import duties were to be paid by instalments, the dates of these instalments being calculated from the day on which the goods were taken out of the custom-house. In case the goods or merchandize were taken out with a view of re-exporting them, whether to any other ports of the republic, or to foreign ports, they were not to pay any import duty in the ports of deposit; but, if afterwards introduced into any port of the republic, they were there to pay the import duties provided by law. The transit duty on foreign goods crossing the isthmus from the one ocean to the other, was fixed at two per cent on the amount of the invoice. In the month of March an act had been passed abolishing the duties on some articles when exported, and reducing that on others; but Paez, when he assumed the supreme power in the maritime department of Venezuela, ordered the operation of this law to be suspended, and the old duties to be levied, because he found it difficult to provide money, and "such alterations," as he expressed himself in his decree, "could not be introduced in moments of difficulty."

After a siege of four years, the garrison of St. Juan de Ulloa, pressed by want, and reduced to



the last extremity of sickness, had surrendered to the constitutional troops of Mexico, on the 17th of November, 1825. This event freed every part of the Mexican territory from the enemy, insured the command of Vera Cruz, one of the most important harbours of the state, and enabled the government to improve its finances, by putting it in its power to reduce greatly the military expenditure. The contemplated reduction in the war establishment was so great, that a committee of finance struck off one half of that item in the budget presented by the minister. The minister and the committee dif-

fered very widely on the financial state and prospects of Mexico; the former, M. Estava, bringing out a deficiency of more than eight millions of dollars upon the accounts of the year, the latter bringing out a surplus revenue, upon the same accounts, amounting to more than two millions of dollars; the former calculating upon a much higher expenditure, and a considerably less productive revenue, than the latter thought ought to be allowed and anticipated. The Mexican budget, according to the estimates of these different authorities, was as follows:—

## REVENUE.

	Estimates by the Minister of Finance	Amended Estimates by Finance Com.
Customs .....	D. 2,575,732	3,275,232
Duty on introduction into consumption..	1,618,223	1,868,223
Tobacco .....	648,142	1,044,925
Gunpowder .....	84,303	84,303
Alcabala on Tobacco .....	39,784	39,784
Posts .....	164,246	164,246
Lotteries .....	70,136	70,136
Salt .....	26,367	80,000
Territories of the Federation .....	9,950	—
National Property .....	42,245	42,245
Tithes .....	529,989	529,989
Rents of the Archbishopric of Mexico ..	86,929	86,929
Do. of the Dignity of the Treasury ....	8,194	8,194
Contingent of the different States .....	2,285,872	2,317,127
Averia .....	169,664	169,664
Peage .....	—	37,454
Restorations .....	55,579	55,579
Foreign Loan .....	1,317,543	2,476,315
	<hr/> D. 9,832,898	<hr/> 12,350,345

## EXPENDITURE.

*Departments.*

Home and Foreign .....	D. 105,737	105,737
Justice .....	77,220	77,220
War .....	12,000,000	6,990,880



Marine .....	2,934,535	....	1,310,785
Finance .....	1,083,143	....	1,083,143
Arrears .....	865,804	....	724,871
Expense of Collection .....	618,968	....	—
Pay of Officers .....	301,267	....	—
	D.18,086,674		10,292,636

The president, in his communications to Congress, represented every branch of the revenue to be in so thriving a condition, that, after defraying the expenses of the administration, and the interest of the debt, a large sum might be expected to remain in the treasury, applicable to other national purposes. The pecuniary engagements of the republic, had, he said, been religiously observed. In the beginning of the year it had become necessary to remit money to London for payment of the dividends on the loan contracted for by Goldschmidt and Co.; what would be wanted for the July dividends was about to be shipped, and the sums which were to come into the treasury by vessels already entered in the ports, would prove sufficient for all the remaining dividends of the year. A sum of money had been lost, and public credit somewhat affected, by the stoppage of Goldschmidt's house; but the executive had immediately restored the credit of its funds by announcing, that the money destined for the regular payment of its obligations was already deposited in the customs.

Mexico, like the other confederations of South America, was perfectly aware, that Spain, feeling her own impotence to recover colonies over which she obstinately asserted an empty title of supremacy, had been using every effort to prevail on the continental

cabinets of Europe to aid her chimerical designs of recovering them by force. They were all too prudent to involve themselves in so ruinous a contest, and they knew that Great Britain would not look with indifference upon their armed interference. The Mexican congress resolved to cut off from them all temptation to interpose even with the influence of their diplomacy in favour of the pretended rights of Spain, by passing an act which declared guilty of treason, every person subject to the laws of Mexico, who should propose verbally or in writing, publicly or privately, within or without the territories of the republic, that the state should listen to any proposal, on the part of Spain, or of any other power, which had not for its basis the absolute recognition of the independence of the confederation under its existing form of government. By the same law every person was to be punished with eight years imprisonment who should propose or maintain that Mexico should accede to any demand of indemnity, tribute, or contribution, which might be made by the Spanish government, or by any other in its name, as a compensation for its ancient supremacy.

All the new republics of South America, in establishing their independence, had declared popery to be the national religion; but



the more immediate interests of an arduous struggle for political existence had not left them leisure to attend seriously to ecclesiastical government; while the freedom with which they applied the property of the church to national purposes, and dispersed congregations of wealthy idlers, seemed to throw weighty obstacles in the way of their reconciliation with the head of their religion. But pope Leo XII was less obstinate than the first born of the church, Ferdinand of Spain, although the latter had been thoroughly stripped even of that influence of opinion, which, among an ignorant and superstitious people, still adhered to the office of the latter. In the preceding year, the pope had addressed a very friendly letter to his "beloved son," the president of the United Mexican States, congratulating him on the peace and concord which prevailed under his government, applauding his constancy in the faith, and his veneration for the papal chair, and finally bestowing on him the apostolic benediction, "as one of the best-beloved sons" of the church. Mexico, in return, sent plenipotentiaries to Rome to regulate by a concordat, the relations between the pontiff and the national church. At Rome, they met with a very favourable reception; but the principles laid down by the Mexican senate as the base of the proposed arrangement went to curtail, in its most important points, the power of the Holy See, and to leave merely a mode of communication between it and the national church, under very strict and efficient limitations. The republic, submitting its opinions, in so far as doctrine might be concerned, to

the ecclesiastical councils, reserved a perfect freedom from control on questions of discipline, patronage, church revenues, organization of dioceses, and the election of bishops. All ecclesiastical affairs were to be determined within the republic, according to its laws and the canons; no stranger was to exercise ecclesiastical jurisdiction by virtue of any commission; monks and nuns, formerly amenable to authorities out of the republic, were to be subject to their proper metropolitan; and an annual gift of 100,000 pesos was offered to his holiness. These incipient negotiations, with the peaceful tenor of the pope's apostolic benediction, had a beneficial effect on the Mexican clergy, who, seeing their communication with their spiritual head renewed, were under less temptation to contrive its re-establishment through the restoration of Spanish authority, and became more disposed to concur in the existing order of things. The religious feelings of Mexican legislators sometimes appeared in forms which rendered ludicrous what they held most sacred. In the constituent congress of the state of Mexico itself, on the preamble of the constitution being read, bearing that what followed was decreed, "under the auspices of the Supreme Being," Senor Olaez proposed that, in place of these words, the words "in the name of the Almighty God," should be inserted. There was no objection to the first, but he thought the terms most commonly used should be preferred, and justified them by the example of the Spanish constitution, the federation, and many other states. Senor Jauregui opposed the change, on



the shewing of the last speaker himself, who admitted that it made no difference which of the terms was made use of. According to that principle, there could be no objection to the insertion of the whole creed, the invocation of saints, or whatever the piety of any deputy might suggest.

Senor Villaverde said, that his wish on this subject proceeded neither from prejudice nor fanaticism; but, at the same time, he thought it would be necessary to say 'God, three in one,' because he knew all the members of that assembly to be Catholics; and by invoking God, the Trinity in Unity, then no Catholic could form a conception of him apart from his divine essence, attributes, and perfections.

Senor Najara thought the invocation of the Supreme Being sufficient, because he was God; but if it was necessary, in framing a political constitution, to shew that they were Catholics, then indeed all that had been proposed was required, and the creed too might be inserted.

Senor Mora said, the congress would make itself ridiculous by mixing up with a political discussion what was the province of a council. He asked, who did not know that he invoked God when he called on the Supreme Being, without the formality of expressing distinctly the Father, Son, and Holy Ghost. To say "in the name of God," was to prostitute it; in the same name, the Inquisition had burned. At length the original preamble was carried.

GUATEMALA, or the confederation of CENTRAL AMERICA, presented nearly as unpromising a

spectacle of civil obedience, and political tranquillity, as did its neighbour Colombia. The provincial governments disregarded the commands of the general government, and there scarcely existed any efficient executive authority. Barrundia, the military chief of the province of Guatemala, displeased with certain orders which had been issued by the supreme government, or thinking them encroachments upon the limits of his own command, employed the troops to oppose their execution. The President of the republic had the firmness immediately to put him under arrest; but so violent was the prevalent spirit of disunion, that the disobedient soldier found as warm partisans as the insulted government. The picture of this small confederation, drawn by the president himself in a manifesto which he addressed to the people in the beginning of October, strongly displayed the impotence and anarchy which are the natural attributes of these federal constitutions. The state of Honduras, according to his description, was entirely disorganized, having neither a legislative body, a representative assembly, nor a court of justice. In the state of Nicaragua, the executive and the legislative were at variance, and the citizens, inflamed by an old spirit of discord, were arming against each other. The executive government of Guatemala had conspired against the federal government, had seized the federal revenue, had organized civil war, levied forces, attacked the troops of the republic, and committed other flagrant acts of usurpation and revolt. The federal congress at the close of their session, in the present year, had been



incomplete as to representation, and doubtful of the validity of its proceedings; on this account, the delegations of the states of Salvador and Costa Rica had withdrawn, and other delegations were deficient. The new congress, convoked for the 1st of October, had not been able to assemble then, and would not be able to assemble at all, for want of regularly elected representatives. The senate of the republic was not in existence practically, not having the constitutional number of members; and, of course, the executive was deprived of its constitutional council. Public opinion called imperatively for remedial measures, but these were beyond the legal faculties of the executive alone. In consequence of all these evils, he convoked an extraordinary national congress, to be fully empowered by the people to restore constitutional order, and to meet in the city of Cojutepeque as soon as a proper number of representatives should be freely elected, at the rate of two for every thirty-thousand inhabitants.

PERU was the last portion of South America from which the standard of Spain disappeared, after more than three centuries of domination. The castle of Callao, the port of Lima, had already endured a long siege; its garrison, under the command of general Rodil, having submitted with much constancy to scarcity of provisions, and withstood the discouraging conviction that their enemies were triumphant all around, and that from Spain, of whose cause they were the last supporters, no succour was to be expected. The siege was pressed

by an army of several thousand troops, assisted by vessels of war, while the Spanish flag could not be displayed in any corner of the Pacific; the garrison was now reduced to about five hundred men; who, worn out by famine and fatigue, were sacrificing themselves to a vain obstinacy, without the most distant hope of securing any ultimate advantage by delaying the triumph of the enemy. On the 23rd of January, general Rodil, who had done every thing that fidelity and honour demanded, surrendered the fortress, on condition that he and his men should be allowed, if they should think proper, to return to Europe. He himself immediately took his departure for Spain, where he was honourably received as a trustworthy supporter of the inalienable and absolute supremacy of monarchs; and, as such, was invested with an high command, in the army of observation, which, in the end of the year, was formed on the frontiers to frown at the constitutional army of Portugal.

The fall of Callao terminated the war: the liberation of Peru from the Spanish yoke—the object for which Bolivar had entered it with his Colombians—was now effected; there seemed to be no reason why his army should any longer continue to be a burthen upon the country, or why a Peruvian government should not be installed, and the virtual dictatorship of a foreigner brought to an end. Bolivar himself, however, seems to have entertained very different notions, to have viewed with dislike the approaching termination of his power, and to have wished to establish in himself a more lasting and efficient in-



fluence than was consistent with the privileges of an independent state. Some of his first proceedings, though founded in strict and stern justice, manifested no disposition to show much deference, in the exercise of the powers with which he had been intrusted, to the wishes of the Peruvian authorities. General Bernidoaga, (who had been commandant of Callao at the time when the black troops delivered it up to the Spaniards, and, if not the instigator of the treason, had been certainly cognizant of the plot without taking any steps to prevent its execution), had been made prisoner during the siege, and, during his captivity, had denounced a respectable inhabitant of Lima, named Tiron, as privy to a traitorous correspondence carried on with the royalist army. After a confinement of some months both of the prisoners were now tried, convicted and condemned. The municipal authorities of Lima interceded earnestly with Bolivar for a remission, or commutation, of the sentence of death which had been pronounced. "The times," said they, "of terror and peril are gone; you have dispelled dangers, and difficulties, and apprehensions; and, having covered yourself with laurels, and Peru with peace and happiness, you may without impropriety, listen to our intercessions for the guilty." But Bolivar was inflexible; he bade them remember that to pardon traitors would impair the moral sentiments of the republic; that the laws, yet in their infancy, would be enfeebled by the exercise of clemency; and that a few drops of parricidal blood would not make amends "for the

torrents from their own bosoms with which the defenders of Peru had watered its plains."

The Peruvian congress was convoked in the beginning of April; but, only a small number of deputies assembled in the capital, and even of these the greater number, instead of proceeding to the business for which they had been elected, questioned their own powers, refused to act as legislators, and, at a time when an energetic and efficient controlling power was the greatest want of Peru, gravely insisted on the necessity of an appeal to the nation. They had been legally elected; the regulations for swearing the members, and conducting the business of the assembly, had been sanctioned by congress more than two years before, and their execution had been ordered by a decree of Bolivar in 1825. Yet they resolved that they should not proceed to act till the following spring—the country in the mean time, having no other government than the dictatorship of a foreigner. The reasons assigned for this delay were singular. It was necessary, they said, to give time for exciting in the people an affection towards their representatives which would induce them to provide funds to re-imburse the members for the inconvenience they might sustain in the discharge of their duty—as if this affection could be excited by the said representatives doing nothing. It was necessary, they said, to consult the nation, whether the present constitution should be maintained, or reformed; and, if the latter, whether the reform should be radical or partial; whether the representatives were to act upon their own



convictions, and be guided by their own opinions, or were to follow special instructions which might be given by their constituents ; and, finally, to consult the public voice as to the most proper person to be elected president. A deputation of fifty two-members presented these resolutions to Bolivar, expressing their opinion that, until these points were arranged, any meeting of the legislature would be premature. Bolivar concurred entirely in their views, which left him no apprehensions of a rival power, especially during his approaching absence in Colombia ; or, if he had no ambitious project in his head, it gave no favourable opinion of his political sagacity to find him, in his answer to these reluctant legislators, giving vent to such absurdities as the following: " I approve of your desire to recur, in the midst of your difficulties, to the source whence your power is derived. Nothing is so conformable with popular doctrines as a reference to the mass of the nation, on those capital points which form the bases of states, namely, fundamental laws, and the supreme magistracy. All individuals are liable to error and seduction, not so the nation, which possesses, in an eminent degree, the knowledge of its welfare and the measure of its independence. From this cause its judgment is pure, its will is strong, and consequently, no one can corrupt, far less, intimidate it. I hold irrefragable proofs of the constancy of the nation in great resolutions, and therefore it is, that I have always preferred its opinions to those of the wise. Let, then, the Electoral colleges be consulted."

It was left to the president of

Colombia to discover that " in the midst of national difficulties," the purity, the constancy, the incorruptibility, and the intelligence, of a rude and unlettered mob were the best resources of a state, and that the opinions of the wise were of comparatively little value. To say nothing of history, the existing condition of every new-born state between Cape Horn and the Northern confines of Mexico, gave the lie to this mischievous nonsense.

Thus the authority of Bolivar was the only government that Peru was as yet to enjoy ; but he was far from being so popular among the people, as among the hair-brained deputies who had acted so unintelligibly, and obsequiously. Grave doubts were entertained of the purity of his views in regard to Peru, and reports were spread of his intention to render her dependent upon Colombia. People could not believe that a disinterested regard for the welfare of a foreign state should detain him at Lima, when rebellion was tearing Colombia in pieces ; they could discover nothing but sinister motives for keeping his army in Peru, where it was no longer needed, and was only a source of intolerable expense ; least of all were they disposed to be satisfied with his mode of employing that army, marching the Peruvian troops to the Isthmus, and occupying every village in the country with his Colombians. The discontent was general ; some slight insurrectionary movements among the Peruvian military in the provinces were easily repressed ; but a more extended and dangerous conspiracy was discovered and prevented. Bolivar, unexpectedly, issued a



proclamation ordering the celebration of the great festival of the declaration of Peruvian Independence to be deferred from the 25th of July, to the 6th of August, the anniversary of the battle of Jairu. On the evening of the 25th July, he went to the theatre with his usual state, but left it early and suddenly; double guards were posted at the doors, and a number of officers apprehended as they went out. Next day it was alleged that a conspiracy had been discovered, the object of which was, to seize Bolivar in his box, and either put him to death, or to imprison him. Numerous arrests continued to be made during the whole of that day; an additional regiment of cavalry, and a battalion of artillery were brought into the city; and Bolivar, leaving his country seat in the neighbourhood, took up his residence in the palace closely surrounded by centinels. The principal parties arrested were military officers of high rank, and extensive influence, among whom were generals Niccochea, Alvarado, and Correa. The last of these attempted to commit suicide; some of the more turbulent of the inferior military were shot; and Bolivar's own admiral, Guise, was imprisoned as implicated in the conspiracy.

It was difficult to account for the stay of Bolivar at Lima, now that the spirit of disaffection in Colombia had spread even to Guayaquil, except on the supposition that he wished to perpetuate his power over Peru, and secure to himself a formal right of continually interfering in and controlling its affairs. His whole

conduct, now that the state of Colombia imperatively demanded his presence in the revolted provinces, confirmed the suspicion. Ever and anon he was on the point of departing, but generously sacrificed his own wishes to the prayers of Peru, which, in the shape of his own obsequious adherents, entreated him to remain, and to retain for their sakes, a power which he was sighing to lay down. On the 15th of August, the assembled negroes of Lima, humbly petitioned him to remain, to save the republic from anarchy and slavery; but their prayers were more successfully backed by the good reasons brought forth by a deputation of ladies, who actually proceeded to the palace, and succeeded in convincing the dictator of the impropriety of saving Colombia at the expense of quitting Peru. Bolivar was mollified and overcome; he declared himself unable to resist "the assembled beauty" of Lima; he consented to remain; set "the assembled beauty" a-dancing with his aide-de-camps, and the city bells a-ringing. This farce was followed next day by a more serious performance, to which it had only been introductory. The Electoral college of the department of Lima assembled, and, by an unanimous vote, elected Bolivar president for life. He accepted the boon, recommended to them the form of constitution which he had framed for Bolivia, discovered that his absence threatened Peru neither with anarchy nor despotism, and set out immediately for Colombia, leaving the government in the hands of the vice-president Santa Cruz.

The failure of the Peruvian go-



vernment to negotiate a new loan in London in the beginning of the year, disabled them from paying the interest of their debt; and the public creditors were added to the multitude who had already found reason to repent of the trust which they had reposed in the energy and honesty of the new states. The executive, to raise revenue, had no other resource than taxation; the country was neither in a condition, nor in a temper, to submit to direct imposts; and therefore additional burthens were laid upon commerce. The duties levied on imports in the harbours of Peru were already enormous; a diminution of them had long been faithfully promised; the termination of the war, bringing with it, as it ought naturally to have done, a large reduction of expenditure, seemed to justify the hope that it would now be effected. But, by a decree of the government, issued in the beginning of June, all foreign goods imported, whether in foreign or national vessels, were subjected generally to an *ad valorem* duty of 30 per cent, and some of them, contained in a long list, to a similar duty of no less than 80 per cent, on the ground that their importation was injurious to the agriculture and industry of the state.

Before his departure, Bolivar gave a constitution to La Paz, Santa Cruz, Potosi, and the other provinces of Upper Peru, which had been formed into an independent confederation under his own auspices, and, in gratitude to its creator, had taken the name of Bolivia. Three public bodies were fixed by this constitution instead of two, because thus, said

Bolivar, very profoundly in the speech with which he presented it, you will avoid the difficulties which arise, where there are only two without a third body to form a majority. The Chamber of Tribunes was to have the exclusive right of proposing all laws regarding war, peace, and finance; the second chamber, the Senate, was to watch over the administration of justice and public worship, choose the prefects and judges, and propose the members of the high ecclesiastical courts. The third and highest chamber, the Chamber of Censors, was to "exercise a moral and political authority, having some resemblance to that of the Areopagus of Athens, and the Censors of Rome; the censors were to be, as it were, the fiscals of the nation against the government, to watch over the religious observance of the constitution and public treaties." The elective franchise, though to be exercised indirectly, was to be distributed according to the most approved modes of liberality: "nothing is required but capacity; even property is not necessary to the exercise of the august functions of sovereignty; the elector requires only to be able to sign his name to his vote, and read the laws, and to be honestly employed." A president was put at the head of all these bodies; he was to hold his office for life; and, amid the absurdities of this mass of crude conceptions, none was more ridiculous than the anxiety which Bolivar manifested to deprive this executive magistrate of all power, and the pride with which he boasted to the Bolivians of having so contrived it, that the president would be



able to do nothing. "He is deprived," said he, "of all influence; he appoints neither the magistracy, nor the judges; he does not nominate to ecclesiastical offices. This deprivation of power has never yet taken place in any well-constituted government; it puts obstacle after obstacle in the way of the authority of the chief, who will always find the whole people under the influence of those who fill the most important situations, and exercise the most important functions. Such were the things that were adopted as constitutions in the New World. The Bolivians, out of respect to their founder and legislator, elected one of his officers, general Sucre, to the presidency. There can be little doubt that, in all this, Bolivar had an eye to the establishment of that presidency for life over Peru in his own person, which he very speedily effected.

In the republic of Chili, Spain, at the end of the preceding year, was still in possession of the province of Chiloe, consisting of an archipelago of which the island of that name is the principal. Political disorder, and the military assistance furnished to Bolivar for the liberation of Peru, had hitherto disabled the government from attempting the subjugation of the province; but, in the beginning of the present year, they fitted out an expedition, and succeeded in reducing it. On the 8th of January, the squadron being unable from the state of the weather to enter the port of San Carlos, cast anchor in the roads, and immediately a small party of marines and soldiers was ordered to take possession of the battery of La Corona,

which was instantly effected. On the 10th, a part of the army began to debark on the shore of Yuste, and a small detachment took the road to Balcacuri, for the purpose of capturing the fort of the same name, which defends the anchorage of the port of San Carlos; while the fleet cast anchor at Balcas, that the remainder of the army might debark at Lechagna. The disembarkation was successfully effected under the fire of the enemy's batteries and six gun-boats. On the 12th, the soldiers joined the squadron, and the best troops having been selected to make the general attack, on the 13th the whole army marched to encounter the enemy, without having taken any refreshment. On the 14th, fourteen barges belonging to the squadron attacked the gun-boats of the enemy, and captured three of them; and on the same day, in the afternoon, an engagement took place, which terminated in the total overthrow of the royal general, Quintilla, and the dispersion of all the forces under his command. To prevent the further effusion of blood, articles of capitulation, very favourable to the royal party, were agreed to.

But this conquest was speedily ravished from the Chilians by a more formidable enemy than Spain—by civil dissention, and the intrigues of an ex-president, which excited apprehensions that Chili, as well as Colombia, Peru, and Bolivia, were to be governed only by, or for, the great liberator. O'Higgins, once supreme director of the republic, had been expelled from the Chilean government in 1822, and was now living at Lima, enjoying the confidence and friendship of Bolivar, by whose assistance



he probably hoped to recover his lost authority. For this purpose, don Pedro Aldunate, the brother of the governor of Chiloe, was despatched from Callao, with a commission from O'Higgins, to excite the garrison of Chiloe to insurrection. Aldunate arrived in Chiloe on the night between the 24th and 25th of April; and, though he found his brother absent, he met with no difficulty in executing his task. Fuentes, the officer in command, joined readily in the plot: and, on the 3rd of May, the troops threw off their allegiance, and declared for O'Higgins. Emissaries were sent, at the same time, to seduce the troops in other districts, and to excite disturbances in Santiago, Concepcion, and Coquimbo. A sort of assembly was immediately convoked at Chiloe, under the auspices of the military authorities, which declared the province to be henceforth free, and independent of Chili, until a government, legally constituted by the people, should be formed, retaining in the mean time the constitution of Chili.

That Bolivar was one of the contrivers of this insurrection, could scarcely be doubted. It was from Lima, that the emissaries of rebellion were sent. O'Higgins was actually with Bolivar; and the liberator had long been anxious to extend the influence of his arms beyond Peru. He had offered in the preceding year to assist the Chilians in the reduction of Chiloe; but they dreaded the proffered aid, and declined it. He was eager, too, to march some thousands of troops to co-operate with the provinces of the Rio de la Plata; but the authorities of Buenos Ayres were too suspicious of his inten-

tions, to avail themselves of his kindness. If he had that share in this transaction, which every thing seemed to prove, it was a most inauspicious omen for the future tranquillity of South America. It indicated a spirit—if not of military usurpation—at least, of ambitious and unnecessary interference, and that, too, by exciting insurrection, which might lead to a succession of revolutions in countries, whose prosperity and happiness depended entirely on the permanence and stability even of the imperfect governments which they possessed.

But, in fact, Chili could scarcely be said to possess a government; the administration was a matter of cabal to a faction of great proprietors mingled with some lawyers; the people at large took no share in it, and had little or no influence on its course. In October, 1825, the deputies of Santiago, the capital, had usurped to themselves the functions of the general congress of the republic. Thereupon their constituents, in a tumultuary assembly, recalled their commissions, the Supreme Director dissolved them, and banished from the territories of the confederation eleven of the most noisy, who insisted on his recognising them. As the directorship of Freire was about to expire, and there was no constitutional mode of re-electing him, or choosing a successor, without a National Assembly, a new Congress was convoked in July. Don Manuel Blanco Encalada was chosen Supreme Director; the Congress resolved "that the republic should be consolidated under the Federal system;" and, so soon as the acclamations attendant on these empty words had died away, they proceeded to tear the



confederation in pieces by dissension, and leave the government paralysed by poverty. In two months the Supreme Director Encalada, very wisely, gave in his resignation, and nothing could present a more melancholy picture of a state than what was contained in his reasons for adopting this step. "He had hoped," he said, "that Congress, sensibly alive to the critical position of affairs, and the exhausted state of the treasury, would lend their active co-operation, and unite in perfect harmony with the executive, for the purpose of calling into action those indispensable resources that were so imperiously necessary for meeting the urgent and daily necessities of the State, and which have been a source of unceasing perplexity to the government, from the first moment of its installation. What has been the state of the public treasury, from that period to this, will sufficiently appear from the repeated representations made by the executive to Congress. It is, therefore, quite nugatory again to allude to the lamentable appearance it presents, and which has been already submitted to the consideration of the representatives, without ever producing the effects that might reasonably be expected, and which were equally demanded by necessity, reason, and sound policy." He further stated plainly, "The cause that has induced me to adopt the resolution of tendering my resignation is the alienation and neglect manifested by all parties towards the executive power, which has been left to the mercy of the attacks of public opinion, without aid or hope, to steer its course amidst a thousand hidden rocks, which must ultimately be its de-

struction. Some other individual, more fortunate than he who addresses you, or more experienced in the science of making something out of nothing, may succeed one whose unhappy fate it has been to struggle with insuperable difficulties: at one time to oppose dangerous innovations—at another to discountenance the most absurd and inexplicable theories—now to foil the intrigues of party—now to calm the ardour of passions neither elevated nor generous."

There was now no occasion for any South-American power to blush because it did not pay its debts; they kept each other in countenance; and, least of all, was any great sensitiveness to be expected from a legislature, which, in such matters, would listen neither to "reason, necessity, nor sound policy." The Chilian bondholders in London remained unpaid, like those who had trusted to Colombia and Peru. The Chilian government had pretended to make provision for the regular discharge of the interest of its debt, but the mode adopted was not a little singular. It conveyed to a mercantile company the monopoly of certain articles of general consumption; and the company, in return for that monopoly, was to provide for the discharge of the accruing interest of the foreign debt. Though such a monopoly might have been maintained under the Spanish system of administration, it is easy to see that, as it must necessarily be exceedingly unpopular, it could not but be insecure under a new, tottering, inexperienced, half-oligarchical, and half-democratical, government. Had the state retained the monopoly in its own



hands, it would even then have been the object of general odium; but when the monopoly was assigned to a company of merchants, was it to be expected that the people would submit patiently to deprivations imposed on them, apparently for the benefit of a few speculators? The company, thinking that they had not made a very secure bargain, announced that they would not provide for the interest of the debt, unless a large extension of their exclusive privilege were granted. This extension the government dared not venture to concede; and the consequence was, that the public creditor had to remain unsatisfied. The executive could not bring the revenue to a level even with the ordinary expenditure, although it had sold its fleet to Buenos Ayres to raise a sum for its present necessities.

Thus throughout the South American States there was little that was promising, except the final removal of the debasing despotism and ecclesiastical degradation of Spain; every where reigned disunion and uncertainty, theoretical symmetry, and practical confusion. In none of them could any man feel the least confidence that what existed to-day would exist to-morrow; faction and intrigue were every moment attempting or accomplishing innovations; the spirit of change was so busy, and found so much facility in gratifying itself, that nothing was regarded as permanent or fixed; and this uncertainty and variableness not only weakened the administrations, but arrested the career of improvement, and quenched the spirit of private enterprise and industry.

They were now safe from external assault, until they should quarrel with each other; but their governments were devoid of that consistency and stability which exclude sudden and capricious changes in fundamental details, and at the same time admit improvement by gradual modification, and by accommodation to varying circumstances. Yet, while each had so much with which to occupy itself at home, they assembled a pompous and futile Amphyctionic council, to deliberate on the welfare of the whole American continent. The deputies to this grand Diet of the New States assembled at Panama in the month of June. Only four of the states—Colombia, which had borne the principal share in its convocation—Mexico—Peru, which was governed by the Colombian president—and Guatemala, whose provinces were at war with each other—sent representatives. The provinces of the Rio Plata regarded the assembly with more of aversion and suspicion than of confidence, from their jealousy of the influence and designs of Colombia. Similar feelings were entertained by Chili, heightened by the insurrection effected in Chiloe by the military adherents of Bolivar's friend, O'Higgins. The baby Bolivia, fondled in the bosom of the Colombian president, was represented wherever he had a minister. To preserve a fantastic equality, the lot decided the presidency as well as the order in which the deputies of the different states should sign the acts of the diet. Don Manuel Lorenzo de Vidaurre, one of the ministers of Peru, happened to be chosen



president, and addressed to the assembly, as the opening of its deliberations, a matchless effusion of pedantry and bombast. Setting out from such profound axioms as these, "that man, in the use of his most perfect faculties, distinguishes what is just from what is unjust; what is useful and agreeable from what is pernicious and offensive; what is secure from what is dangerous; the enjoyment of moderate pleasures, which are perpetual, from intense gratifications, which are only momentary;" he assured them, as if to encourage them to set experience at defiance, that their revolutions "found no example in all the revolutions, civil, moral, and political, which historians have related, or philosophers examined." He then treated of the creation of the world, the dynasties of the Chinese and Egyptians, the empires of the Medes and Persians, the Greeks and Romans, Marathon, Salamis, Thebes, and Carthage; Emilianus, O'Higgins, Pitt and Fox; and various other topics equally fit for a deliberative assembly, with a zeal and copiousness betraying not merely bad taste, but poverty and barrenness of mind, want of experience, ignorance of all that is worth knowing, and an absence of the habits of thought which are required in active life. This has hitherto been the bane of the South American statesmen. They speak and they write like boys who have just left school, as if their minds had been stationary since they attained the age of puberty: they exhibit scarcely a single trace of a reason accustomed to observe human affairs, to analyze their combinations, or

follow their consequences. For this defective turn of mind they were hardly responsible; the system of education, and the frame of society, which existed in the Spanish colonies, were such as scarcely to permit statesman-like habits of thought to grow up.

The political objects of the Diet, so far as they could be gleaned from amid a mass of vague and declamatory propositions, were founded on inveterate hostility to Spain, and good will towards all the rest of the world, and to each other. It professed to treat with respect the established European governments, however opposite in their principles to those of America; to seek a free commerce with all nations, and grant great commercial privileges to such as recognized its independence; to establish religious toleration, and abolish slavery. To convince Spain that her hopes of re-conquest, if she still entertained them, were chimerical, the war establishment was still to be maintained; her fruits, her commodities, every production of her industry and soil, were to be absolutely prohibited, seized, and destroyed wherever they might be found, till Ferdinand, persuaded that he could not recover what he had been unable to maintain, and convinced that in America even faction would lend him no assistance, should become accessible to reason and justice, and recognize as a right the independence which they would never condescend to purchase. Then America would forget all the calamities which he had caused her, and allow him the benefit of "the generous reconciliation which she proffered



to him." It was impossible to condemn either the spirit or the prudence which recommended obstinate resistance to Spain, and even active war. In relation to the American States themselves, the grand Congress was to act in four characters. It was to be "an adviser in great conflicts—a faithful interpreter of treaties—a mediator in domestic disputes—an agent in the formation of new rights with foreign states." There could be no objection to its giving advice, though that advice had little chance of being much regarded: it might interpret and mediate as much as it pleased, though it was an awkward circumstance that the contending parties should themselves be integral parts of the interpreter or mediator; but as to "its agency in the formation of new rights with foreign states," it was to be ex-

pected that foreign states would be very cautious in negotiating with such an assembly, or through its agency. When they dealt with Colombia or Mexico, they were dealing with a supreme state; if they dealt with a body like this great Diet, they were dealing with a shadow. After concluding an ordinary treaty of perpetual alliance and friendship among the four republics, the Congress rose, apparently alarmed by the unhealthy climate of the isthmus, which had proved fatal to some of the functionaries attending its proceedings; but, as many suspected, in consequence of the apprehended intrigues of Bolivar, to whose schemes it seemed inclined to be less subservient than he desired. The members agreed to hold another meeting at Mexico, or in its neighbourhood.



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# THE HISTORY OF THE



# CHRONICLE.







# CHRONICLE.

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JANUARY.

**ACCIDENT.**—This day, between the hours of twelve and one o'clock, the Augustinean Friary Chapel, at Callan, County of Kilkenny, being crowded to excess, some women and children began to groan, and complain of intense pressure. A sudden panic seized the congregation, when a cry (perfectly unfounded) that "the gallery was giving way" resounded through the chapel. A rush towards the only door common to the floor and gallery took place. Women and children were instantly crushed to death, or suffocated outside the door, where they fell; so that a pile of the dead, dying, and half-suffocated, was soon accumulated. A cry that the kitchen (which is under the chapel) was on fire, added to the terror of the people. A rush towards the altar broke down the railings of the sanctuary. Some were killed in the fall from the windows. A young woman bore a neighbour's child over the pile, and instantly remembering that her own sister was within, she attempted to return, but met her fate at the door. A mother of nine children is among the persons consigned to the grave. Two children were crushed to death behind the door, belonging to country people, who have not yet heard of their fate. Fourteen persons are already dead. The number of those who have suffered by broken legs, arms, ribs, &c. and

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are now under the hands of the surgeons, amounts to one hundred.

**3. WHITEHAVEN.**—An occurrence took place this morning in the mine William Pit, by which nine persons perished. One of the engines under ground in that pit had been worked several hours, when the men in attendance discovered the space about the engine to be enveloped in flames, which, having the effect of igniting the coal, and also the wood-work, soon produced an immense body of fire. The air passing through this body, and thus rendered unfit for respiration, had to travel a distance at least of two miles, before it reached the upcast shaft; at this place two men, who had the charge of the furnaces, were suffocated. The remaining seven went in search of the two sufferers, and shared the same fate. The direct road through which they had to pass, leading to the upcast shaft, has a ventilation distinct from the William Pit; but, in consequence of the furnaces at this place having become extinguished, the current of air was reversed, and the road was impregnated with the impure air from the William Pit.

**NEW LONDON BRIDGE.**—The first stone of the land-abutment on the Southwark side was laid on Saturday last. The bridge is in a state of great forwardness, the masonry on that side, to the centre arch, being nearly level with high-water mark.

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4. POISONING IN CORSICA.—A man, named Tolomeo di Pavano, has been tried at Ajaccio, for having caused the death of several individuals, by poisoning a rivulet called Calencone. It appeared in evidence, that in June last five or six persons were seized with violent pains in the bowels, and three of them died in a few days. The surgeon, who examined the bodies, gave it as his opinion, that the deceased had come by their death in consequence of taking some poisoned liquid. The sick persons being questioned, in order to ascertain the cause of their illness, stated, that they supposed it to have arisen from their drinking cold water when in a violent perspiration. One of them, however, was positive, that as far as related to him, this cause could not have produced the malady; for, as he had not been out of his house for a week previous to his indisposition, it was impossible that he could have drunk cold water when his body was heated. A medical man tasted the water of the rivulet, and found that it possessed a peculiar flavour. About fifty yards from the spot where the deceased resided, a considerable quantity of laurel branches, with leaves (*Daphne laureola*), was discovered at the bottom of the rivulet; where they had been placed by Tolomeo, who, in his defence, said, that he was not aware these leaves were of a poisonous nature. He had, however, been heard to threaten one of the deceased, and the character he received being a very bad one, he was found guilty. As the code does not mention this crime, it became a matter of some difficulty with the judges to award a punishment; but an ordinance was found, dated so far back as 1669,

at the period of the *Chambre Ardente*, when so many hundred persons were executed, being found guilty of administering poison. The law provides that whoever shall put laurel leaves into small rivulets, with the intention of poisoning the water, and thereby actually occasion death, shall be executed; where no bad intention existed, the court was to be at liberty to punish with imprisonment. Tolomeo was sentenced to three years' confinement, and to be placed during ten years under the surveillance of the police.

5. FIRE.—About half-past four o'clock in the afternoon, a part of the metropolis was thrown into considerable alarm by the appearance of flames at a great height, proceeding from the manufactory of Messrs. Walker and Parker, the patent-shot-manufacturers, on the south side of the Thames, opposite to Surrey-street. The proprietors of the premises could not account for the accident; for no fire had been in the place since Wednesday afternoon, and the fire broke out in the upper part of the building. No workmen were in the building, nor was business of any sort going on, when the fire appeared.

After the breaking out of the fire at the top of the building, the wind being high, and the ventilation from the bottom upwards very strong, the fire soon descended from one floor to another, until the whole pile, about 130 feet high, was in one blaze. The upper tower, fell in with a tremendous crash; and the lead in a liquid state falling down, partly outwards, in nearly a constant stream, was so frightful, and the heat proceeding from the manufactory so intense, that none of the firemen could



approach the place: their efforts were therefore directed to the adjoining premises, which, with the immense property on the ground, was of the first importance, as a number of timber-yards surround the premises of Messrs. Walker and Parker. They fortunately succeeded in allaying any apprehensions for the safety of the neighbourhood. But the wind blowing easterly, the flakes of fire fell so heavily in a large timber-yard, situated immediately westward, that it was necessary to employ upwards of 200 men in protecting from the fire the large piles of valuable wood which filled the yard.

10. The public-house called the Elephant, in Fenchurch-street, supposed to be one of the oldest in London, is at last condemned to be pulled down. It was here that Hogarth enjoyed many of his convivial meetings: and on the walls of the tap-room are two paintings from his hand of convivial meetings, which may probably contain portraits not only of himself, but of characters well known in his day. These paintings, of which the subjects are "Midnight Conversation," and the "Hudson's Bay Ticket Porters," have since been very successfully transferred to canvas by Mr. Hall, a patron of the arts, who purchased them unconditionally of the landlady. For some time the attempt was considered impracticable, the paint having become incorporated with the surface of the wall, and nearly as hard as marble.

11. CATASTROPHE ON THE CANAL IN ST. JAMES'S PARK.—Owing to the severity of the frost for the last day or two, the Canal in the Park was frozen over, and vast numbers of persons of every

denomination were assembled during the day, skating, sliding, and practising other sports. Many parts of the ice were deemed by the men belonging to the Royal Humane Society to be unsafe, and to point out these places to the skaters, a rope was thrown across the Canal. About a quarter past two, a shout from the men, and the shrieking of the females who were assembled on the green on either side of the Canal, attracted the crowd to one particular spot, where the ice had given way, and no less than nine unfortunate individuals were in the water. Before any effort could be made to extricate any one, the ice, from their exertions to escape, cracked and separated for a considerable distance around them, and four or five clung to one strong man, who was endeavouring to get away by swimming, and drew him down, and the whole sunk together, but immediately rose to the surface, and separated. The bystanders by this time had procured ropes, which were cast to the struggling persons, and four were drawn out. There were still five persons in the water, mostly in an exhausted state, and clinging to one another; two of these were dragged out, but the ropes breaking, the fate of the others seemed inevitable. One of them, raising his arms, shrieked out, "Oh, God, save me! my poor mother! my mother!" and sunk below the ice. This distressing ejaculation seemed to stimulate to renewed exertion, and several persons ran to the brink of the broken ice, and grasped at the drowning men, but, the ice again breaking, they themselves were immersed, and with difficulty escaped. However, ropes being fastened around three young men,



they plunged in, seized the struggling persons, and rescued one youth, who was taken ashore in a state of insensibility. The attention of the throng was at this instant attracted to an elderly gentleman, who, at great personal risk, saved the lives of two, but in his third effort the ice gave way, and he sank beneath it. Ropes were thrown to him, but the danger was so apparent, that none would approach to his rescue, and he appeared likely to share the fate of the remaining two; however, the ice being broken to the bank, several persons locked their hands, and, advancing into the water, dragged him to the side. This was followed instantaneously by the convulsive cry of the two young men, who had grasped a firm hold of each other, as they sunk to rise no more. Some watermen, in a few minutes, came up with a boat and drags, and in about twenty minutes succeeded in bringing the bodies up. Some persons stripped them, and proceeded to use the means recommended by the Humane Society for the resuscitation of drowned persons; they were rolled and rubbed, and the usual remedies were used for above an hour; but re-animation could not be produced.

12. JUBILEE AT ROME.—The jubilee year terminated on the 24th of December, when the closing of what is called the holy gate at St. Peter's took place, with the following ceremonies:—

After vespers had been sung in the Sistine chapel, the pope, attended by the cardinals, &c. descended by a private staircase into the church, where he was received by the chapter, who, forming in grand procession, marched into the portico. Here his holiness ascended

the throne which had been prepared for him, and the assistants took their respective places. The two steps of granite leading to the holy gate had been previously removed, and two of wood substituted. Several trays, containing bricks, mortar, and stucco, destined for walling up the sacred aperture, had been placed near the steps. Every thing being ready, the two wooden steps were taken away, the pope quitted his throne, with mitre on head and candle in hand, to bless the bricks and mortar. This being performed, one of the masters of the ceremonies girded him with an apron. Kneeling upon a cushion placed in front of the doorway, he received a trowel from a cardinal, and took with it some mortar, which he spread upon the threshold, reciting at the same time a form of prayer. Upon this he placed in the centre and at the side three bricks, which were gilt, and embossed with his arms and those of the cathedral. During this and subsequent operations, the choir sung the hymn "*Cælestis urbs Jerusalem.*" Next came the cardinal chief penitentiary, who also placed his bricks and mortar. His eminence was followed in a like process by the four senior penitentiaries (confessors) belonging to the church. As the most workmanlike arrangement of about 18 bricks could not close this entrance, the workmen, in order to effect the semblance of completion, lowered over the aperture a canvass painted to represent a gate. His holiness having returned to his seat, all the candles that had been borne by those who had composed the procession were now extinguished; the *Te Deum* was performed by the choristers; and the solemnity concluded with a



publication by two cardinals of a plenary indulgence in favour of all present. Similar ceremonies were performed at the churches of St. John di Laterano, St. Maria Maggiore, and St. Maria in Trastevere, where the Jubilee gates were shut by cardinals especially delegated to those offices.

13. OLD BAILEY.—Mary Cain, aged 44, was capitally indicted for the wilful murder of Maurice Fitzgerald on the 26th of December last, by wounding him in the left breast with a knife, so as to cut the artery near the heart, and produce death by the effusion of blood. The prisoner, an Irish-woman in the lowest ranks of life, had been quarrelling with her husband, and stabbed the deceased, while he endeavoured to pacify them.

Mary Casey stated, that she lived in Horn's-alley, opposite the prisoner's house. On the evening of the 26th of December, as she was going home, she observed the prisoner and her husband going towards their own house, quarrelling and beating one another. Witness went to bed, and heard the prisoner say to Fitzgerald, "What brought you to my place? I'll let you know you have no business in my place." Witness then got up and went to the window, when she saw the body of a man carried away on a shutter by the prisoner's husband and three other men. She followed the body for a short time, and then returned to the prisoner, to whom she said, "What a pity, to murder the poor man." The prisoner answered, "If there's a row between me and my husband, what's that to you? What right have you here?"

Hannah Lucklan was standing

at the window overlooking the yard, about eight o'clock in the evening of the 26th of December, and, by the gas-light, which was close to her window, could see what was done. There was no light in the prisoner's yard; the gate was shut, but she could see over it. She observed the deceased in the yard with the prisoner, her husband, and daughter. The prisoner said to the deceased—"Maurice Fitzgerald, you vagabond, I'll let you know you have no business in my place." The prisoner and her daughter then got hold of Fitzgerald between them, and he immediately fell. Somebody here screamed out "murder!" After the body was taken away, the prisoner came out and shut the yard door, and afterwards washed the stones.

Bridget Riley lodged in the same house as the prisoner—she lodged up stairs, where the deceased had been sitting with her for some time on the evening in question. She heard the prisoner and her husband quarrelling below, and was going down, but Fitzgerald prevented her, and went himself to make peace between them. In about five minutes afterwards the prisoner's daughter called out to witness to come down stairs, as the man was killed. She found Fitzgerald sitting on the threshold, and the prisoner's daughter supporting his head. She observed a wound on Fitzgerald's left breast, from which a great deal of blood flowed, which the daughter was endeavouring to staunch. Fitzgerald was speechless. Witness clasped her hands, exclaiming, "Who killed the man?" No answer was made. Witness then left the daughter taking care of Fitzgerald, while she went for a



surgeon to Hatton-garden. While returning with the surgeon, they met the body of the deceased carried on a shutter. When the deceased went down stairs, he was perfectly sober.

Samuel Caiger, the watchman, said, that, when he went to Horn's-court, in consequence of the noise, he saw the deceased, the prisoner, her husband, and daughter there. The prisoner appeared to be endeavouring to get to her husband from the yard gate. The daughter and Fitzgerald appeared to be pulling the husband into the house. The prisoner had a slender table-knife in her hand, holding the blade upwards. Some person here cried "The watchman;" on which they all went into the house, and shut the gate. Witness then heard a female voice exclaim, "Damn you, I'll stab you." He thought it was the prisoner's voice, but he could not say positively. He then went away, supposing it to be only an Irish quarrel. In about a quarter of an hour, he saw the body of a man carried on a shutter. He went to the prisoner's house, and found her lying in bed, having all her clothes on, except her shoes. She did not appear to be over sober. He took her to the watchhouse. Next day he found three knives in the prisoner's house, one of which (a black-handled common kitchen-knife of rather a small size, apparently long used, and sharp towards the point) he supposed to be the one she had in her hand.

John Cartwright, a boy, heard a noise, and saw Fitzgerald standing at the pig-sty, about three yards from the door of the house. He said, "Oh, I'm dead." The daughter was trying to stop the blood, and endeavouring to lead

him to the house. The prisoner came out from under the pig-sty, and told the daughter not to take him in there. The deceased was at first standing, and then walking slowly towards the door, when he fell on his knees, and sunk. The daughter had one hand on his breast, and the other supported his head. She called for Mrs. Riley, who came down and hallooed out, "Murder! murder!" The prisoner then said, that Fitzgerald had fallen on a knife which he had in his hand. The prisoner held a light at the door, while they were carrying away the body.

Mr. Stephen Skinner, the surgeon, examined the wound, which was on the left breast, about the region of the heart; he had no doubt of its having occasioned death. The knife produced would have made such a wound.

Mr. Shelton then read the defence. It stated that the prisoner's poverty had prevented her from employing counsel, but she threw herself on the merciful consideration of the court and jury. She disclaimed all intention of taking away the life of any human being; and had, on the evening in question, been dressing some onions and pepper for her husband's supper: she had a knife in her hand, and a child in her arms. She had only drank two glasses of gin, it being boxing-day, and the festival of St. Stephen's. About sixteen months ago she had been deprived of her reason for some time, in consequence of an injury received on the head. This infirmity troubled her on taking any spirits. There was a disturbance in the place, but what was done she did not know, being quite insensible of every thing around her. She



could not tell whether Fitzgerald was present or not.

The lord chief baron summed up.

The jury retired for 20 minutes, and found the prisoner "Guilty of Murder."

The recorder then passed sentence of death on the prisoner. She heard the verdict with little emotion, but burst into tears, when the sentence was pronounced. She was executed on the following Monday.

14. As two lightermen were passing under London-bridge in a wherry, the boat was upset, in consequence of running against a large mass of ice, which was aground at some distance from the shore, and both were drowned. The wherry in which the unfortunate men were, had run safely through one of the side arches of the bridge, at the time the tide was rapidly going out; but they had no sooner escaped this danger, than another presented itself. A large piece of floating ice, driven along with great impetuosity by the current, gained upon the wherry, and drove it with such violence against the mass aground, that the boat was turned completely keel upwards, and both the men fell into the water, and instantly disappeared. The following day the body of one of them was picked up near Battle-bridge-stairs, Tooley-street.

16. DECCAN PRIZE-MONEY.—After much consideration the lords of the Treasury have issued their decision upon the case of the Decan prize-money, by the following minute:

*Treasury Minute, 16th Jan. 1826.*

Present—The earl of Liverpool, the chancellor of the Exchequer,

Mr. Berkely Paget, lord Lowther, lord Granville Somerset.

My lords, assisted by the trustees of the Deccan booty, lord Bexley, and the law officers of the crown, having heard counsel on behalf of the marquis of Hastings and the grand army, and also on behalf of sir Thomas Hislop and the army of the Deccan, upon the subjects of discussion relating to the distribution of the Deccan booty, which have arisen out of the difference between the actual circumstances attending the capture of a large proportion of that booty, as stated by the trustees, and those which were assumed at the hearing before their lordships in January, 1823, and having maturely considered the arguments severally stated by the counsel, and also the whole of the documents upon the subject of this booty now before the board, are of opinion—

1. That with respect to all that portion of the booty now at the disposal of the crown, which is described as having been "taken in the daily operations of the troops," the distribution thereof should be made to the actual captors according to the terms and conditions of the minute of this board of the 5th of February, 1823, and of the warrant of his majesty of the 22nd March following.

2. That with respect to that part of the booty which consists of the produce of arrears of tribute, rent, or money, due to the Peishwah, it appears to my lords to have been acquired by the general result of the war, and not by the operations of any particular army or division; and they are of opinion, that it ought, therefore, to be distributed in conformity with the



alternative stated in their minute of the 5th of February, 1823, as being "the only correct or equitable rule, if the principle of actual capture cannot be adopted, viz. amongst the forces of all the presidencies engaged in the combined operations of the campaign."

3. With respect to the property captured at Nassuck, my lords are of opinion that the booty recovered at that place cannot be distributed upon the principle of actual capture, and ought, therefore, to be divided amongst the forces of all the presidencies engaged in the combined operations of the campaign.

4. With respect to the booty recovered at Poonah, alleged to have been removed thither from Rai Ghur, my lords are of opinion that this booty cannot be distributed upon the principle of actual capture to the forces by which Rai Ghur was taken, under the orders of the government of Bombay, unless it can be proved by the captors of Rai Ghur that the property in question was actually in that fort at the time when it was taken; in default of which proof, my lords are of opinion that this booty also ought to be distributed among the forces of all the presidencies engaged in the combined operations of the campaign.

5. With respect to that portion of the booty which is stated to consist of money recovered on account of deposits made by the Peishwah, my lords are of opinion that any part of the property which can be proved to have been in Poonah at the time when that place was captured, viz. on the 17th of November, 1817, ought to be distributed to the captors of Poonah, according to the terms of the minute

of the 5th of February, 1823, upon the principle of actual capture; but that with respect to those parts of the above property as to which such proof cannot be established, such monies or effects must be considered as having been acquired by the general result of the war, and, as such, ought to be distributed amongst the forces of all the presidencies engaged in the combined operations of the campaign.

6. With respect to the share of the commander-in-chief in the distribution, under the several heads above enumerated, my lords are of opinion that the marquis of Hastings ought to share as commander-in-chief in all those cases in which sir Thomas Hislop is not entitled to share as such, under the terms of the minute of the 5th of February, 1823, wherein it is declared, "that sir Thomas Hislop, as commander-in-chief of the Deccan army, and all the officers of the general staff of that army, are entitled to participate in the booty which may arise from any capture by any of the divisions of the army of the Deccan, until the said army of the Deccan was broken up on the 31st of March, 1818."

My lords are further of opinion that the general rules of division hitherto adopted in distributing booty to the forces in India, among the several classes and ranks of the army, should be adhered to on the present occasion.

17. WEATHER. — The cold in the night between Sunday and Monday was more intense than it has hitherto been this season. Towards the upper parts of the metropolis, the mercury in Fahrenheit's thermometer fell to 20 degrees



below the freezing point. At the several bridges the river was nearly choked up by large masses of ice, so as to obstruct the navigation. In the streets the plugs were kept open, to afford the inhabitants water, as most of the pipes were completely frozen. The Serpentine in Hyde-park on Sunday, resembled a fair—upwards of 100,000 persons were supposed to be present; the Canal in St. James's-park was, if possible, still more thronged with visitors.

**DEATH FROM FROST.**—Yesterday evening an inquisition was taken before Thomas Higgs, esq. coroner for Westminster, on the body of a man who was found frozen to death on Saturday morning last in Park-lane. Robert Read, a watchman of St. George's parish, deposed that he was on duty in Park-lane on Saturday morning last; he was crying the hour of one o'clock. On arriving near Pitt's Head Mews, he saw the deceased, who was lying in the lane, on the park side. He was quite stiff, and, on examination proved to be dead. The deceased appeared to be a respectable mechanic, and about 35 years of age. Witness, in the course of the night, had before passed the spot where he found the deceased, but it was then very foggy, and he could not see many yards before him; the deceased smelt very strongly of spirituous liquors; but there were no marks of violence on him. On his person were found some silver and papers. The jury returned a verdict, "That the deceased was found dead, but whether from the effects of the weather, or any other cause, they had no evidence to prove; but the presumption was, he was frozen to death."

18. **LONGEVITY.**—The last an-

nual obituary of the Russian empire, published at St. Petersburg, records the death of a man at the very advanced age of 168, near to Polosk on the frontier of Livonia. He had seen seven sovereigns on the throne of Russia, and remembered the death of Gustavus Adolphus; he had been a soldier in the thirty years' war, and was at the battle of Pultowa, in 1709, when he was 51 years of age. At the age of 93 he married his third wife, with whom he lived fifty years; the two youngest sons of this marriage were 86 and 62 respectively in the year 1796; the oldest of his other sons in the same year were 95 and 92 respectively. The entire family of this patriarch comprehends 138 descendants, who all lived together in the village of Pollatzka, which the empress Catharine the 2nd caused to be built for them, granting at the same time, a considerable track of land for their support. In the 163rd year of his age, this modern Nestor was in the enjoyment of the most robust health.

23. **ATTACK BY A LEOPARD.**—On Monday week, a collection of wild animals was opened for exhibition at Mold, near Chester, when, owing to the carelessness of the keepers, or the inadequacy of the cages, a large leopard escaped from the caravan, and dashed across the street, through a great concourse of people, who readily made way for so unwelcome a visitor. A short way from the exhibition the leopard fastened upon a youth about 15 years of age, seized him with his claws by the breast and back, which were much torn, and then fastened on his face, one side of which the furious animal actually tore off and devoured, before the lad could be



released from his fangs! This was at last effected by the keeper, but the sufferer was left in such a state as to leave no hope of his surviving. The magistrates have committed the keeper to prison, and served the concern with a Welsh ejectionment.

**RIOT.**—A serious riot has taken place at Norwich, the origin of which appears to have been the jealousy felt at the employment of country weavers by the manufacturers of the town. On Tuesday morning last, about eight o'clock, from 600 to 800 men followed a cart containing goods manufactured in the country, attacked it, seized its contents, strewed them about, and threw the cart into the river. They then returned to the warehouse to which the cart had been proceeding, and broke every pane of glass, threatening similar destruction to every warehouse. They next directed their attention to public-houses, and other places where they suspected goods manufactured in the country to be placed. This caused great alarm. A body of men, armed with pickaxes, shovels, bludgeons, stones, and other weapons, threatened vengeance to every manufacturer in the town. Their next attack was at Mr. Willett's, where they broke every window, forced an entrance into the counting-house, and destroyed almost every thing it contained. The civil and military powers came up, the Riot Act was read; and every means was used to prevent a repetition of the outrage.—(See p. 23).

25. **ROME.**—Franconi, a youth 20 years of age, the murderer of the Prelate Tragetti, was executed in the Piazza di Popolo, in presence of an immense multitude of spectators, who filled the square, and the terraces of Monte Pincio.

When the sentence of death was read to him on the 24th, in the evening, he persisted, in spite of the clearest evidence, in denying the fact; but at length he confessed it. This prompt administration of justice met with general approbation, which, however, was not extended to the manner in which it was executed. There exists an ancient law by which the murderer of an ecclesiastic is to be knocked down with a hammer, then his throat cut, and his arms and feet separated from his body. This kind of capital punishment, which arose from the notions of the middle ages respecting the dignity of a priest, had not been practised since the reign of Pius VI.—On this occasion it was revived. Immediately on receiving the blow with the hammer, the criminal fell to the ground, apparently lifeless, on which the executioners proceeded to fulfil the other parts of the sentence with a dexterity and propriety that were really remarkable. The detached members were exposed for an hour, then put into a coffin and buried. It is said, that five other criminals sentenced to death were to have been executed before the Carnival, because it was thought that the people would thereby be deterred from the commission of similar crimes; but his holiness considered this mixture of the horrible with the comic more likely to weaken the impression of the former, than to inspire a permanent and salutary terror.

26. **BARBARITY OF POACHERS.**—William Thomas, *alias* John Emery, *alias* William Barnes, and Robert Wood, two young athletic men, were indicted at the Staffordshire sessions, under an act passed in the 57th year of his late majesty, for entering a wood, in the



parish of Wolverhampton, belonging to Lord Anson, between the hours of six in the evening and seven in the morning of the 29th of November last, armed, with intent to kill game.

The singular circumstance of an aged female forming one of a small party on a night-watch for poachers—her intrepidity on the occasion—the brutal conduct of the poachers—and the very narrow escape of one of their victims, gave to this case a degree of greater importance and deeper interest than usually belong to such transactions.

Mary Pinnett, a woman advanced in years, deposed as follows :—I remember going with my husband, Nicholas Pinnett, who is a wood-ranger at Bentley, and my son-in-law, James Boulton, to watch for poachers, on the evening of Monday, the 28th of November last. We went out about ten, and returned at eleven; after waiting about ten minutes we started again, and went round the covers belonging to Lord Anson. Soon afterwards, we heard the report of a gun in Herbert's Coppice, and on proceeding in the direction from whence the sound came, we met a man in a field adjoining the coppice. I collared him—and asked what he was doing at that time of night. He said he was "going;" he then said, "loose me, woman, are you going to rob me?" I said, "no, man;" and asked him for his name, which he said was Emery; this was about two o'clock. I kept the man collar'd, and sent my son-in-law to the constable's. Soon after, the man whom I held called out, as if to some companions, "D—n and b—t your eyes, if you don't come over I'll confess;" upon which Robert Wood and another man

jumped over the hedge out of the coppice, and knocked my husband down; they then beat my husband with Robert Wood's gun until they broke it, and afterwards with his own gun till they broke that too; they then jumped upon him; upon which I went to his assistance. They then turned from him to me, and knocked me down with a hedge-stake. I got up, and was beaten and knocked down again several times.—Before going away, they gave my husband a heavy blow on the head with the broken gun. They took my husband's broken gun with them, and left their own behind. Directly after they ran away, I went up to my husband, and found he was not quite dead, but covered all over with blood. My husband has been compelled ever since that time, until last Sunday, to keep his bed; he is quite incapacitated for attending here, in consequence of the severe wounds he received that night. I know the prisoners at the bar to be two of the three men who committed the offence. (Witness's husband had several of his ribs broken, and was otherwise much injured.) This statement, and the identity of the prisoners, being established by three other witnesses, they were found guilty, and sentenced to transportation for seven years.

ASTORGA LIBRARY. — The Astorga Library, recently purchased for the Faculty of Advocates at Edinburgh, is supposed to be the most curious collection of Spanish books existing anywhere out of Spain. It consists of about 8000 vols. and was sold for 3000*l*. The Bodleian also had an agent in town to treat with Mr. Thorpe's creditors. The collection is *unrivalled* (in so far as England



is concerned) as to Romance, Chronicles, and Law. There is also a great deal of the old poetry — volumes that would have fetched their weight in gold when the Roxburgh mania was in its vigour. A *contemporary prose history* of the Crusades is considered *unique*. Certainly no mention of the work is to be found in any catalogue that has reached this country. The Marquis Astorga, who founded the library, was viceroy of Portugal, under the administration of Olivarez. He married that great statesman's daughter; and many volumes in this collection have the leaves between the clasps blazoned with the arms of the Count-Duke. The possession of this collection will, of course, confer new distinction on the magnificent and truly liberal establishment of which it is about to form a part. The same body purchased only last year a very fine Danish library entire, at Copenhagen.

27. COURT OF COMMON PLEAS. — *Tooth*, demandant v. *Bagwell*, tenant. This was a writ of right to try the right to certain lands which had been nearly sixty years in the possession of the tenant. The proceeding is one of extremely rare occurrence, and has nearly fallen into desuetude. The present action was to have been tried last term before the four judges and a grand assize, consisting of four knights and twelve freeholders chosen by them. It was then put off for default of appearance of some of the knights, and after several adjournments, came on for trial this day. Thirteen only of the knights and freeholders of the grand assize made their appearance. Of the knights, sir George Alderson could not attend. His physician was examined, and deposed,

that not only was sir George unable at present, but in all probability never would be able, to attend. The sheriff had also made a return to the same effect.

Serjeants Bosanquet and Taddy, suggested to the court, either to discharge the present grand assize, and commence the proceedings *de novo*, or summon another knight in the room of sir George Alderson, and so proceed to trial.

Serjeants Vaughan and Wilde, for the tenant, opposed both of these, contending that the court had no power to adopt either of them; there was only one case on record, in which a knight had been added to complete the grand assize, and that was a case not of the illness, but of the death of the knight originally summoned. The present, they said, was a most vexatious proceeding, after the tenant had been so long in possession, and they would, therefore seize every obstacle which they could to throw in the way of it.

The court said, that in a case where they had no precedent, they must resort to general principles and common sense, in order that no injustice might be done. Here was no *laches* on the part of the demandant, and it would be hard therefore to deprive him of his right to take the benefit of this proceeding. They should therefore order a rule to summon another knight in the room of sir George Alderson, and they did this the more readily, because if there was any error it could be remedied by an appeal to the highest court in the country.

THE VATICAN MSS. — The most valuable of all Monsignor Mai's discoveries are unpublished. They consist of ample extracts from Polybius, Diodorus, Dio Cassius, Ennius, Menander the his-



torian, and Persius, preserved in those hitherto lost volumes of the eclogue of Constantinus Porphyrogenitus, of which the fortunate librarian found large remnants in the Vatican. These fragments are said to be invaluable for ancient history, as much so as, or more than, those published by Fulvius Ursinus, and Henricus Valesius. The extracts from Polybius contain the details of the destruction of the Achæans, and Corinth; those from Diodorus appear to give a circumstantial narration of the beginning, at least, of the social war; the contents of the latter historians are quite new. It should appear that whoever is possessed of such a literary treasure would be eager to give it to the world; but it happens, most unfortunately, that the Roman government requires that Mai should publish at Rome; and printing at Rome at his own expense, without extraordinary assistance, exposes him to a certain loss, as nobody out of Italy would purchase an edition extravagantly dear and very incorrectly executed, if a cheaper and more correct edition might be had, as would be the case, within a few weeks after a copy had reached Germany. Thus M. Mai may either allow or refuse us the enjoyment of these precious relics.

The celebrated Niebuhr has very warmly interested himself to obtain subscriptions for the ingenious Italian. Hitherto his success has been limited to a subscription for a number of fifty copies from the Dutch Institute of Letters and Sciences. The work is actually ready for the press, and any subscriptions will be publicly acknowledged by the learned conservator of the Vatican MSS.

EXCAVATIONS IN DALMATIA.—Since the year 1818, when the emperor of Austria visited this province, the search for antiquities has been carried on here with great activity. Those on the site of Salona have proved very productive; the columns of the palace of Diocletian are yet standing, and the workmen employed under Dr. Lanza, have discovered various interesting antiquities. The excavations at Pola have been still more successful: two of the arches of the amphitheatre, which were in danger of falling, have been repaired, and the two beautiful temples, and triumphal arch, are now entirely exposed, the mean buildings that disfigured them having been taken down.

28. CHAMOIS.—Four live specimens of the beautiful *Antelope rupicapra*, or the Chamois from the Alps of Switzerland, were shipped at Leith, for the king. They were sent from Switzerland to the earl of Fife, who has presented them to his majesty, and they will be naturalized in Windsor Park. They are the first of these beautiful animals, it is believed, which have reached this country alive. There are two females, a buck, and a kid. They are nearly of the size of the fallow deer, or common goat, but elegantly formed, with horns slightly bent back, and curved at the apex. The extreme shyness, and amazing agility of the Chamois render this animal very difficult to be procured alive; though the Chamois hunters of the Alps are the most adventurous of men.

30. OPENING OF THE MENAI SUSPENSION BRIDGE.—This stupendous structure was opened for general intercourse at half past one in the morning.



Mr. W. A. Provis, the resident engineer, was despatched to meet the London (*via* Shrewsbury) mail, and take charge of it across the bridge. He having mounted the box with the coachman, the mail proceeded, and on its way to the bridge took up as many as could either be crammed in, or find a place to hang by. Thus loaded, amidst the blaze of lamps, the cheers of those assembled, and the roaring of a heavy gale of wind, the gates were thrown open, and the mail passed triumphantly across.

About nine o'clock, sir H. Parnell, and the chief engineer, Mr. Telford, passed over in the carriage of the latter. Throughout the remainder of the day the number of carriages, as well as horses and persons that passed over, was immense.

The extreme length of the chains from the fastenings in the rocks, is about 1600 feet. The height of the road-way from high-water line, is 100 feet. Each of the seven small piers, from high-water line to the spring of the arches, is 65 feet. The span of each arch is 50 feet. Each of the two suspending piers is 52 feet above the road. The road on the bridge consists of two carriage-ways (one way for going, and the other for returning) of 12 feet each, with a foot-path of 4 feet between these two carriage-ways. The carriage-roads pass through two arches, in the suspending piers, of the width of 9 feet, by 15 feet in height to the spring of the arches. To counteract the contraction and expansion of the iron, from the effect of the change of the atmosphere in winter and summer, rollers are placed under cast-iron saddles, on the tops of the

suspending piers, where the chains rest. The vertical rods, an inch square, suspended from the chains, support the slippers for the flooring of the road-way, the rods being placed five feet from each other. The chains, sixteen in number, contain five bars each; the length of each bar is 9 feet 9 inches, the width 3 inches by 1 inch square, with six connecting lengths at each joint, 1 foot 6 inches, by 10 inches, and 1 inch square, secured by two bolts at each joint, each bolt weighing about 65 pounds: the total number of bars, in the cross section of the chains, is eighty.

The whole is suspended from four lines of iron cables by perpendicular iron rods, placed five feet apart, and these rods support the road-way framing. The suspending power is calculated at 2016 tons, and the weight to be suspended, exclusive of the cables, is 342 tons, leaving a disposable power of 1674 tons. The weight of the whole bridge between the points of suspension is 489 tons. It is calculated that the contraction and expansion of the iron cables may occasion a rise or fall to the extent of 4 or 5 inches; but the variations of the temperature of the atmosphere will not derange the bridge.

The abutments consist of masonry-work; four additional arches are on the Anglesea side; each of the two piers is 60 feet, by  $42\frac{1}{2}$  wide at high-water mark, having a foundation of rock. These piers are connected with the whole of the remainder of the masonry, and form a mass constructed with blocks of hard lime-stone, of much greater weight than is necessary for supporting a bridge of this kind. This bridge is, perhaps, (with the single exception of the Simplon road), the



most stupendous monument of human art in the world. The sea rushes in a dark and turbulent confusion of currents between the precipitous shores of Anglesea and the main land; many small rocks, partly hidden, except at low water, augment the perplexity and danger of the passage; the winds blow furiously down the ravine, and produce, even when the weather is moderate elsewhere, a perfect tempest of spray. Altogether, except in the very finest season of the year, the Menai ferry was a sufficient trial for not the weakest of nerves. The narrowest part of the strait is 500 feet in width, and here it is now crossed by a convenient bridge 30 feet in breadth, suspended 100 feet above the surface of the water from enormous stone buttresses, 152 feet in height. This magnificent bridge, Mr. Telford's road across Anglesea, and the establishment of steam-packets at Holyhead, have perfected the communication between this country and Dublin; and, taking it merely in a political point of view, the completion of this great plan is a matter of high importance.

### 31. CHAPTER OF THE GARTER.

— Yesterday his majesty commanded a court for various public procedures, to be held at his Royal Castle at Windsor.

Arrangements having been made for holding a chapter of the order of the garter, a procession was formed in the private room of the most noble order of the garter, in order to confer the ribband vacant by the death of the late earl of Carlisle, knight companion of the order.

The knights companions and officers having proceeded from the private apartment into the chapter room, and taken their respec-

tive places; the officer of the order signified his majesty's command for filling the vacant stall. His grace the duke of Dorset, the king's master of the horse, was introduced into the presence of the chapter, and received the honour of knighthood from the king, and his grace then retired.

The suffrages were then collected from the different knights forming the chapter. His grace the duke of Dorset was declared duly elected. His grace was then received at the door of the chapter room by the two junior knights present, attended by the garter principal king of arms, bearing the ensigns of the order, and his grace being introduced to the king, he was graciously pleased to invest the duke therewith. The officers of the order pronounced the usual admonition to the newly-elected member of the order, who received the congratulations of all the members present.

The chapter being ended, garter king of arms called over the knight's companions, and the procession returned in the order in which it had been made in the chapter room.

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### FEBRUARY.

STEAM NAVIGATION.—A few days ago, the steam-boat *Liberator* left Liverpool, destined for the river Orinoco, (in the Republic of Colombia,) where she is to be employed. She will not use her engine on crossing the Atlantic, but will stop at Grenada to set it up, whence she will proceed and get into the Orinoco in perhapstwenty-four hours after her departure from Grenada. In about six months another steam-boat will leave Liverpool for the same destination.



**EARTHQUAKE.**—A shock of an earthquake was felt in the province of Basilicata, in the kingdom of Naples. Sixty houses in the district of Tito were thrown down; all the buildings in the populous town of Potenza suffered more or less, and in both places many persons were buried under the ruins.

**POMPEII.**—A fresco painting has been discovered at Pompeii, representing an eruption of Vesuvius, and several processions at the foot of the mountain; Cape Misenum and the city of Naples are in the back-ground. This picture indicates that Vesuvius was formerly of prodigious height, and that the frequent eruptions have lowered it considerably; it also shews that the Somma did not exist, or rather that it formed a part of Vesuvius, and has been separated from it by a volcanic eruption.

**NEW COLONY AT NATAL.**—In consequence of the spirit of enterprise which the examination of Delagoa Bay, in 1823, and the early part of 1824, excited, several voyages were performed to that part of the eastern coast of Africa, by the merchants of the Cape of Good Hope. Among others Mr. Henry Nourse fitted out a vessel, and, as part of her return-cargo, she brought a quantity of the tusks of the hippopotami, which had formerly been regarded by the Portuguese and natives as of very trifling value. The sale of Mr. Nourse's cargo, however, discovered that sea-horse ivory was worth half as much again as the tusks of the elephant, and since that time it has been in great demand, and better estimated by the Portuguese.

This trade being now a little better understood, the merchants

associated for a voyage to the coasts of Natal and Fumos, with a view of forming an establishment there. The Salisbury was fitted out for this purpose, freighted at a very great expense, and accompanied by lieutenant Farewell, of his majesty's navy, one of the proprietors. The vessel being provided with interpreters, passed up the Natal coast, tried several rivers, and at length entered the port of Natal, which had not been entered by any vessel for, perhaps, half a century before. The voyage was unsuccessful in a commercial point of view, not more than half a ton of ivory being collected; but lieutenant Farewell having attempted to land in a boat at St. Lucia, was upset in the surf, and Jacob, one of the interpreters who was with him, thinking that by being shipwrecked he was freed from his engagement, made his way to the court of Chaka, king of the Zoolos, or, as the natives of Delagoa Bay call them, Olontontes, where he speedily became a favourite, and by his means lieutenant Farewell opened a communication with that monarch. The result was an invitation to lieutenant Farewell to make a settlement at Natal, and, in July 1824, he left the Cape in a schooner of thirty tons, with about twenty persons,—himself, and two other gentlemen, a Mr. Fynn, two or three Hottentots, and the rest Dutch or English from the Cape. On the 8th of August following, Chaka executed a grant of land to lieutenant Farewell, including thirty-five or forty miles of coast, and about one hundred miles in breadth, inland. For this grant lieutenant Farewell appears to have paid some consideration in beads, brass, and cloth. The vessel which carried



the party to Natal was intended to be constantly employed between the Cape and the colony at Natal, but on her return she was burnt at sea, and all on board perished.

Nothing was heard of the little party of adventurers till nearly a year afterwards, when, in May, 1825, the York, lieutenant Hawes, visited them, and brought some news of lieutenant Farewell's proceedings. That officer's first care had been to form an establishment, and this was done to the northward of the harbour, close to the watering-place. The buildings consisted of three small houses and a few huts made of clay and bushes, and surrounded by a wall of five or six feet high, to defend them from the tigers and wolves, which were seen every evening in great numbers. Mr. Farewell was occupied in the construction of a large house, to be secured by a wall six feet high, and three in thickness, with platforms on which to place artillery. The party were healthy, and the soil was abundantly productive in grain and vegetables, ; but owing to their small number, they had not entered upon agricultural pursuits. They had plenty of game and cattle, but were in want of bread and flour. They were on the best terms with the natives, and had the protection of their king (Chaka), who seemed to have great respect for Europeans. Three rivers, none of them navigable, cross the settlement. The inhabitants upon it were estimated at 250, of whom 100 were sent by Chaka to protect the establishment. Chaka having conquered this tract only two years before, had destroyed the greater number of the inhabitants. The harbour is well adapted for vessels not drawing more than nine feet water.

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His majesty's ship *Lever*, capt. Owen, was the next that touched at lieutenant Farewell's colony. She arrived there on the 15th of September last. An officer on board says, "It does not appear that Mr. Farewell is sufficiently provided to carry on his commerce to any great extent. He has, however, collected about four tons of ivory, much of it from the southern parts. He had a quantity collected near Ants River, to which place Mr. Fynn was gone, to convey it to Natal. As every tooth had thus to be transported by land a distance of 80 miles, his traffic must be laborious. The intervention of hostile tribes likewise prevents lieutenant Farewell from attempting a direct communication with our old colony. But Chaka, understanding this, and affecting a great regard for the English, has determined on an expedition against all the Kaffres of the frontier, of whom this extraordinary savage says, he will not leave one man alive."

Mr. Fynn and the English of the party have adopted the Kaffre costume (a skin, merely, round the waist), but lieutenant Farewell retained his English dress.

2. SINGAPORE. — By an estimated value kept in the master-attendant's office, the trade of Singapore has increased as follows :—

	Dollars.
In 1822, value of exports and imports	8,568,172
1823, - - ditto, - -	13,268,397
1824, - - ditto, - -	15,000,000
1825, estimated at not less than	20,000,000

Large junks from different parts of China not only bring annually a multitude of settlers, but also import and export valuable cargoes ; vessels of smaller sizes, from Siam and Cochín-China, are yearly increasing ; a considerable trade also is opening with Manilla. The

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number of square-rigged vessels that arrived in the year 1823, from India and Europe, amounted to 216, of native oriental craft 1,550, importing nearly 80,000 tons of merchandize. And all this unprecedented increase of population, trade, and prosperity, has arisen, not so much from the favourable locality of this eastern emporium, and the safety and convenience of its port (both of which are excellent), as from the establishment in good faith of the principle of free trade; a simple provisional administration of justice, dispensed without delay; a strict and efficient police; and a judicious system of granting and registering lands; to which may be added, as most important, a large and liberal institution for the education of youth, of whatever country or religion. The Chinese, some millions of whom are spread over the islands of the great Asiatic Archipelago, are every where ready to receive instruction. At the college of Malacca, Chinese boys are not only taught to read their own and the English language, but allowed cheerfully by their parents to be instructed in the principles of the Christian religion. The college that was established there has now been removed to Singapore, and united to the Malay college founded by sir Stamford Raffles.

3. MURDER.—In Manchester a murder was committed, under extraordinary circumstances, on the body of Mr. T. Price, a respectable fustian-manufacturer. About two o'clock in the afternoon, an alarm of fire having been given, the engines were brought to Marsden-square, to a house, the lower part of which is occupied by the Savings' Bank, and the two upper stories by Mr. Price. Soon after three, the

flames, which proceeded from the upper part of the building, were subdued, and a person went up to Mr. P.'s warehouse to ascertain the extent of the injury, when he discovered the body of Mr. Price near the door, beside a pile of velveteens, one of the pieces of which was placed upon him. He was lifeless, with a desperate wound above his left ear: his brains were scattered on several of the pieces around him. The skull appeared to have been cut through, but there was no implement found upon the spot with which the murder could be supposed to have been perpetrated. Mr. Gibson, of the Savings' Bank, had left two of his clerks in the lower story, when he went home to dinner. About half-past one, one of them, smelling fire, went up stairs to ascertain whence it proceeded. On entering the back-room of the second story, which Mr. Price used as a counting-house, he observed his hat upon the desk; he then went up the next flight of stairs, in expectation of meeting Mr. Price, and found the door of the upper room open, but the smoke was so dense he could see nothing, and was compelled to retire. A man and woman, in the service of Mr. Price, have been taken up on suspicion. The man states, that he and the woman left their master about a quarter past one, Mr. Price having informed them that he would shut up the warehouse himself. The fire was discovered in about a quarter of an hour after, and the body was found in a lifeless state immediately upon the extinction of the flames. Mr. Price, who was about 55 years of age, left a widow and five children. There seems to be little doubt but that the wretches who perpetrated



this deed intended that the body should be so far disfigured by the fire, as to render its identification impossible.—The Coroner's jury returned a verdict of wilful murder against—Evans, and a man in the service of Mr. Price. [*See infra*].

COMBINATION.—The Cumberland Packet says, on Monday last, the seamen of the port of Whitehaven turned out, as the phrase is, for an addition to their wages, of half a guinea per voyage; with which demand the owners and masters do not feel themselves in a condition to comply; and the consequence is, a suspension of nautical activity, with the exception of a few small traders, navigated by the owners and apprentices. The seamen, like the shipwrights (who are still without work), have foolishly connected themselves with clubs, wherein worthless characters in general hold sway, and thus, as a body, they are led to do many things, which, as individuals, they disapprove of. The present period, however, is a very unfortunate one for their project. A diminution of wages, under existing commercial pressure, is a much more likely occurrence than so great an advance.

BRUSSELS. — We learn from Gorcum, that the river Merwede is frozen from that place to Bois le Duc, and even beyond, which has not happened since 1784. Last Sunday 3 or 4,000 persons were assembled on the ice. The river Lek is covered with ice, which is so strong that even waggons pass over it.

4. TREASURE TROVE.—An inquiry of a novel nature was held at the Eagle Inn, Cambridge, before Mr. Chevell, one of the coroners for this town, on view of a large quantity of gold and

silver coins of the ancient kings of this realm. In June last, as workmen were pulling down a house adjoining the Eagle Inn, they discovered, on digging up the bottom of the cellar, a quantity of silver coins, and, after a further search, a jug containing gold coins. A considerable scramble took place among the workmen; but Mr. Howell, the contractor of the building for Corpus Christi college, secured the treasure. The question now arose to whom it belonged. The Bursar of the college took possession of part of it, and Mr. Balls, for Mr. Howell, of another part; and eventually the whole was deposited in the names of the Bursar and Mr. Balls, in the bank of Messrs. Mortlocks, till it could be decided to whom it of right belonged.

The lords of the Treasury, a few days ago, applied to the coroner, to hold an inquest; and after going through all the evidence, the jury without hesitation found their verdict upon the points directed to their consideration by the coroner, who desired them to leave out of their minds any question of right as to whom the treasure belonged, as that would be for the decision of a superior court—"that on the 3rd of June last, 195 pieces of gold coin of the value of 130*l.* 3*s.*; and 3,510 pieces of silver coin of the value of 70*l.* 0*s.* 5½*d.* were found by William Smith and Stephen Woodcock, labourers in the employment of James Howell, bricklayer, hidden in the ground under the site of an ancient house or building situate in Bene't-street in the said town, which were of ancient time hidden as aforesaid, and the owners thereof cannot be known."

As soon as the verdict was re-



turned, the coroner, by virtue of his office, seized the treasure in the name of his majesty. The town-clerk attended and served a notice upon the coroner, on behalf of the corporation, who claimed it as grantees of the crown; and the solicitor to the Treasury also made a demand for it, but the coroner refused to part with it till it was ascertained who is legally entitled to it, and it was accordingly re-deposited in Messrs. Mortlock's bank, to await this decision.—The coroner has been served with a writ of certiorari by the lords of the Treasury, to return his inquisition to the Court of King's-bench.

6. ROBBERY OF A DEAF AND DUMB BOY.—Lately came on, before the recorder of Dublin, a trial, in which a deaf and dumb boy was prosecutor. Doctor C. Orpen, Secretary to the Deaf and Dumb Institution, was sworn to interpret; and communicated the questions of the court, of the jury, and of the prisoner, partly by spelling the words on his fingers, and partly by writing, to which the boy answered, both by speaking articulately and by signs. It was given in evidence, that the boy's name was Thomas Collins; that he was, until lately, a pupil of Mr. Humphrey's of the Deaf and Dumb School at Claremont, and is now an apprentice to Mr. Goodwin, a respectable printer in Dublin, and that he is totally deaf; and until taught to speak in that school, had been totally dumb. His evidence was confirmed by the watchmen, who apprehended the woman, and found the watch in her possession, and by the interpreter, who proved that the watch had been given by his brother to the boy some years since. Doctor C. Orpen also proved, that he had known the boy ever

since 1815; that he was detained at the printing-office till late every evening; that his principles and conduct were excellent; and that he perfectly understood the nature of an oath, and the consequences of a lie.

The prisoner attempted an excuse, by stating that she was drunk, and that she had taken the watch in her room, and not in the street; but these were distinctly contradicted on oath by the boy.

The jury did not hesitate a moment in finding her guilty; and the judge sentenced her to seven years' transportation.

The following letter, which was handed by the boy to the recorder, after his examination (not *viva voce*) was over, explains the circumstances of the robbery. It was similar to the account which he wrote on his slate to the grand jury:—

“To my Judge:—I was standing, looking at a shop window and things, last Monday week night, it was nine of the clock in the evening, a wicked woman met me, and she asked me——. I said “I am deaf and dumb,” by my signs, until she took away my watch and my fob pocket, and tore it off.—She ran away into another street, into a house; I followed her with my eyes, immediately, and ran after her. She ran into a low house down stairs, into a low back kitchen—cellar—low. She threw a candle down, out with her hand, to make me dark night, and she pushed me. I fell down on my back to the ugly ground; my elbow and back were painful and blue. I got up dirty and caught her; she is very strong; I called a watchman; I said, “come, come,” to take her to prison. She pushed my watch under a bed and



hid it—sitting on the bed; the two watchmen found it by their search. It is very true—I swear true. I hope the judge will not hang her. Will he give me my silver watch and my fob, and send her to lock up in prison, or send her to ship to Botany Bay. I am Thomas Collins, a deaf and dumb orphan boy. Perhaps if a good minister will speak to her some things about God and Jesus Christ, she will be repentant, and will become a good woman, and a minister will be better than a judge; but if she will not be repentant, that the judge will send her to hard work in the Botany Bay.”

**CONVICTS.**—Extracts from the report of John Henry Capper, esq. superintendant of ships and vessels employed for the confinement of offenders under sentence of transportation, dated Jan. 21, 1826:—

“The convict boys, consisting of 350, under 16 years of age, have recently been transferred from the *Bellerophon* at Sheerness, to the *Euryalus* at Chatham, the ship especially fitted for them. They have, during the last year, been fully occupied in the several branches of trade which they are taught, and have made for the convict service upwards of 6,000 pairs of shoes, 15,500 garments, and various articles of cooperage and bedding. Making allowance for the youth of these prisoners, and the vicious course of life in which they have been trained, they have behaved as orderly as might reasonably be expected.

“On the 1st of January, 1825, there were 3,230 prisoners on board all the convict hulks in England, since which period there have been received 2,184; 1,105

have been transported to New South Wales and Van Dieman’s Land (being 764 less than the preceding year); 400 have been sent to Bermuda; 633 have been discharged by pardon or otherwise; 7 have escaped; 2 were drowned; 108 have died; and 3,159 remained in the hulks on the 1st of January instant.”

#### 7. NORTHERN EXPEDITION.—

The vessels which have been despatched by government to carry assistance to captain Franklin, and which are under the command of captain Beechey, were met with off Chili by the *Blonde*, lord Byron, and consort, who were on their return from the Sandwich Islands, having there left the bodies of the king and queen. From letters which lord Byron has brought home it appears, that captain Beechey’s ships are at present in good condition, though, in doubling Cape Horn, they had encountered some severe storms and dangerous seas. Upon leaving Chili these vessels will touch at the Sandwich Isles, and there leave, for the principal inhabitants, some magnificent presents from our government. After this they will proceed immediately to Behring’s Straits to join captain Franklin, who, it is imagined, will, by that time, have arrived there. It was their intention to wait, until captain Parry should have effected his passage. Of the failure of captain Parry’s expedition they are at present ignorant, but a vessel has been despatched by government to inform them of it, when captain Franklin will immediately return to Cape Horn. Captain Beechey has orders to make what discoveries he can in the Pacific Ocean, and to take drawings and



charts of parts that are important, but little known, and to collect all information that is likely to be valuable. Captain Beechey, and captain Hopner, the unfortunate accident to whose ship caused the untimely return of captain Parry's expedition, are the sons of eminent artists.

8. NUNS.—The Cork Chronicle of Wednesday last says, yesterday the daughter of Alex. M'Carthy, esq. and another female, were received into the Order of St. Ursula, at the New Convent, Black Rock. The rev. Mr. Hughes preached a sermon suited to the occasion.

10. BURNING OF HINDOO WIDOWS.—The late Calcutta papers contain accounts of numerous suttees or sacrifices, where widows burn themselves with the bodies of their deceased husbands. Of these one instance occurred at Cuttack. The widow of a Brahmin, aged about 34, burned herself in spite of argument and entreaty, as well as the offer of a pension of four rupees a month for life.

Another instance took place at Pooree, where the victim was also a Brahmin's widow, about the same age; and her son, aged 16, set fire to the pile. Arguments and offers of money were in this case equally unsuccessful.

A third instance was one at Unoomirta, where the widow does not burn herself with the body of her deceased husband, but with the wooden shoes and stick belonging to him. The husband had been attached to the court of Jeypore. The public officers endeavoured to prevent the act, but the deluded woman petitioned the court, and was at length suffered to burn herself: she was about 17.

A fourth instance occurred at

Santipore, where a Brahmin's three wives, one of the age of 27, another 21, and a third 15, were suffered to burn themselves, before the permission of the magistrate had arrived.

A fifth took place near Chittapore: the widow was 69.

A sixth occurred at Serampore: the widow was 70, and possessed property. Her son appeared in high spirits at the pile!

PAY OF MEMBERS OF CONGRESS.—From the 1st congress in 1780, inclusive, until the 4th of March, 1795, senators and representatives received six dollars per diem, and six dollars for every twenty miles travel. From the 4th of March, 1795, to the 4th of March, 1796, senators received seven dollars per diem, and seven dollars for every twenty miles travel; representatives, only six dollars. From the 4th of March, 1796, until the 4th of December, 1815, the allowance per diem was six dollars, and the mileage six dollars to senators and representatives. From the 4th of December, 1815, until the 4th of March, 1817, each senator and representative received 1,500 dollars per annum, with a proportionable deduction for absence, from any cause but sickness. The president of the senate *pro tempore*, and the speaker of the house, 3000 dollars per annum each. From the 4th of March, 1817, the compensation to members of both branches of congress has been eight dollars per diem and eight dollars for every twenty miles of traveling.

STEAM NAVIGATION IN INDIA.—Mr. Burgess, an enterprising British merchant of Batavia, has on the stocks, and nearly ready to launch, a steam-boat of 130 feet keel, with two engines of 40-horse



power each. This vessel is expected at Singapore in the course of the ensuing month. This is the commencement of steam navigation in the seas of this Archipelago, in which it is, perhaps, upon the whole, more easily, safely, and extensively practicable, than in any other part of the world.—*Singapore Chronicle*, June 9.

11. CATASTROPHE AT GRAVES-  
END.—An Inquisition was taken at the Three Falcons, at Gravesend, before Mr. Hodgson, the coroner, on view of the bodies of Josiah Purvis, and Edward Manning, who came by their deaths under the following circumstances:

Mr. Michael Rives sworn.—I am inspector of the batteries erected on the ramparts on the north side of this town. On Wednesday last, a salute from the guns was fired, in consequence of the embarkation of part of the suite of his grace the duke of Wellington, for Saint Petersburg, in the princess Augusta packet, for Dover, and the deceased men with others, were employed on the occasion to discharge the pieces. About three o'clock in the afternoon, I was present when one of the guns burst, and the deceased were blown to pieces. I am of opinion that the accident could not be foreseen or prevented. It was purely accidental.

Juror.—Can you give any reason why the cannon burst.

Witness.—I cannot, unless that it was overcharged.

Ebenezer Mashell, a boat builder, confirmed the evidence of the last witness.

Mr. Alfred Morkan, surgeon, sworn.—I saw the bodies of the deceased persons soon after the catastrophe happened. Their deaths must have been instantane-

neous.—I attended the other sufferers, two of whom are in imminent danger.

Mr. Hodgson, the coroner, having read the depositions, the jury returned a verdict, that the deceased persons, Josiah Purvis, and Edward Manning, were killed by the accidental explosion of one of the guns on the battery. Deodand 5*l.* on the artillery.

RATTING IN A SCOTCH THEATRE.

—A curious circumstance occurred in the theatre-royal Glasgow. About ten o'clock, a young gentleman came into the pit, followed by a little white terrier dog. All was tolerably quiet at the beginning of the afterpiece, but, in a few minutes a rat took the liberty of popping up his head through one of the many holes in the floor; the dog noticed it, seized it, and despatched it with very little noise; another was served in the same way shortly after the first, and in a little time a third was caught, which, after a good deal of resistance, was also finished to the great amusement of the greater portion of the audience.

13. NORWICH.—This city has [see page ] been in a state of riot since eleven o'clock this morning, owing to one of the manufacturers being detected in sending work out of the city, to be executed in the country. Three men were all day cooped up at a public house, called the Sun and Anchor, in the parish of St. Clement, on whose persons several canes of silk were found; and such is the state of popular feeling, that any attempt to escape from the house would be the signal for their destruction—the order of the day being to “break heads, not windows!” The mayor, and deputy-mayor, with several ma-



gistrates, and the *posse comitatús* went down to the scene of riot, at twelve o'clock, and continued at their post. Nearly 12,000 persons are at this time unemployed, and almost every kind of business at a stand.

#### STATE OF NEWGATE.

Prisoners under sentence of death . . .	38
Prisoners under sentence of transportation for life . . . . .	14
Prisoners under sentence of transportation for 14 years . . . . .	5
Prisoners under sentence of transportation for 7 years . . . . .	22
Prisoners under sentence of imprisonment for felony and misdemeanours . . . . .	12
Prisoners for trial at the approaching sessions . . . . .	215
Prisoners insane . . . . .	1
Prisoners committed under the bankrupt laws . . . . .	2
Prisoners committed by the Court of King's Bench . . . . .	1
Prisoners whose judgments have been respited . . . . .	2
Prisoners remanded from last sessions . . . . .	8
Prisoners for trial at the assizes . . . . .	1
Total	519

Of the above number there are 246 males and 73 females.

15. **BAR MERRIMENT.**—In the course of a trial in the court of Common Pleas on Wednesday, one of the witnesses stated to Mr. serjeant Vaughan, who was cross-examining him, that he (the witness) was a twine-spinner and mat-manufacturer, and dealt in flax and hemp.

Mr. Serjeant Vaughan.—I am sorry to hear, sir, that you deal in hemp (a laugh).

Witness.—I dare say you are, sir, for I make ropes to hang lawyers (great laughter).

Mr. Serjeant Vaughan.—I hope, sir, you will keep a little for your own use, for you are very likely to want it.

Witness.—I shall save enough for you, sir, at all events.

The merriment excited by this little dialogue had not long sub-

sided, when it was renewed by the following circumstance:

The same witness was recalled by chief justice Best (who, be it recollected, had tried the action for false arrest), and asked by his lordship what had taken place at an interview between Goodwin the younger and Mr. Williams, after the trial. Why, replied the witness, Goodwin asked Mr. Williams if he ought not to move, to set aside the nonsuit. Mr. Williams said, certainly he ought, as he had good grounds for so doing; and added, that “the judge was a d——d old fool, or he would have let the case go to the jury.”

Lord Chief Justice Best joined most heartily in the roar of laughter which this reply drew from the whole auditory, except Mr. Williams, who, being seated immediately facing the learned judge, seemed quite overwhelmed with consternation at being thus suddenly brought, as it were, to pay his compliments vis-a-vis to his lordship; and, fearing he should be considered less courteous than candid in the expression of his opinion, he most energetically disclaimed the language imputed to him.

The Lord Chief Justice.—These things will happen, Mr. Williams.

Mr. Williams, with increased vehemence, denied having used any such expressions; and seemed to grow very warm on the occasion; on which his lordship said, Mr. Williams, for once learn temper of me. He then related an anecdote of lord Kenyon, to whom, after trying an action one day, one of the parties came to make a complaint of the other, who had been defeated. “What is it?” said his lordship. “Why,” replied the party, “he said your lordship



was a rogue, and the jury were fools."—"Well," said lord Kenyon, "I forgive him, and I hope so do the jury."

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### MARCH.

1. DEATH OF THE ELEPHANT AT EXETER CHANGE.—This stupendous animal, which has been for sometime in a restive state, became at four o'clock this afternoon, unmanageable. The strong den in which he was confined, was a compartment of the grand hall, in which the superior animals of Mr. Cross's valuable collection are kept; so that, if he had succeeded in getting loose, the destruction of property would have been considerable, and some lives would probably have been lost, before he could have been killed. At half-past four o'clock, the violent exertions he made to break the door and bars of his den, in which he partly succeeded, determined Mr. Cross to send to Somerset-house for the assistance of some of the guards stationed there. They soon arrived, and continued firing at the animal for one hour before he fell. There were one hundred and eighty musket balls fired at him, during which time the exasperated animal made furious but unsuccessful efforts to get at his assailants. The ball, by which he fell, entered under the ear. One of the keepers then fastened a sword to the end of a pole, and thrust it several times up to the hilt in his body. The animal stood thirteen feet high; the body as it lay on the floor, was of the height of six feet. The attack upon his late keeper, which proved fatal, is not the only act of violence which this animal had committed. Some years ago he

was in the habit of rubbing his head against the side of his apartment, to allay an itching on his forehead. From his great weight and strength, this operation shook the whole building, and the keeper, with a view to prevent its continuance, took an opportunity of driving some short nails nearly to the head, upon the favourite spot on the side of the cell. The event justified the expectation. The first time the elephant resumed his amusement, his head was scratched by the projecting nails, and he soon discontinued the practice. The unfortunate keeper, however, paid dearly for his device. On his approaching the cell, the elephant, who knew to whom he was indebted for his scratched forehead, immediately attacked him, and, but for the immediate interference of the servants of the place, would have killed him on the spot.

Some years ago, he had a female companion in an adjoining apartment in the Change. Upon one occasion, on his return from a provincial tour, the doors of Exeter Change were shut, and it was too late to re-place him in his old birth. A temporary lodging was accordingly prepared for him in a waste house at the rear of that building. A strong post to which he was chained, was fixed in the floor, and the door was locked: thus placing him, as was thought, in a state of perfect security. In the course of the night he felt a desire for the society of his old companion; and the wish was no sooner conceived than it was executed. With the first movement up came the redoubtable post from its five feet bed in the floor; and the double-locked door yielded to the first touch of his proboscis. Entering



the door in the rear of the 'Change with almost equal facility, he proceeded up stairs, and with one thrust, in flew two panels of the door at the top of them, opening to the grand room, at the end of which was his proper home. The crash roused the keepers from their sleep, who, on hastening to the spot from which it proceeded, found the elephant at the top of the stairs with his head stuck through the door. As it was not considered practicable or prudent to resist his humour, means were immediately adopted to facilitate his entrance, and he was safely lodged in his old apartment near his companion, who died shortly after.

**ABDUCTIONS IN IRELAND.**—On Friday night last, the house of Thomas O'Donnell, of Camas, in the county of Limerick, was entered by a party of ruffians, who forcibly took away his daughter, a child about 13 years of age. Early the following morning, the offenders were closely pursued by the constable, T. Butler, and sub-constable, Michael Thornell, of captain Bourke's party of police, stationed at Bruff, who, after a diligent search and active pursuit, succeeded in rescuing the victim from the hands of those marauders, and restoring her to her parents.

On the night of Wednesday, the 22nd ult., a report was made to serjeant Cranwell, of the police stationed in Kilfinan, under the command of Benjamin Jackson, esq., that a body of about twenty fellows had passed close to the town, after breaking the door of a poor man in that neighbourhood, with stones, and had proceeded to the mountains of Ballintubber. Serjeant Cranwell, with his party, immediately went in pursuit, and after traversing the mountains for

several hours, came up with them as they were in the act of forcibly carrying off the daughter of a farmer residing in Glenroe. The police challenged, and were fired on by the country fellows; they instantly returned the fire, which put them to flight: they all escaped in consequence of being mounted, but the police succeeded in rescuing the girl, and bringing her safe into Kilfinan, together with three horses, one of which had a gunshot wound in the breast.

4. Lately was shot, by Mr. John Parsons, of Aston, near Wallingford, Berks, a male and female Pied Oyster Catcher (*Hæmatopus ostralogeus*, Lin.) These birds are the constant inhabitants of the sea shores, and though no where numerous, yet are widely dispersed over the globe, being met with in almost every country from New York to the Bahama islands, also in New Holland, New Zealand, and Japan. As they feed on oysters and other shell fish, it is very rarely that they are found far inland; they appeared, when first seen, to be much fatigued by a long flight. Also was taken, in Sutton Courteny Fields, near Abingdon, Berks, in December last, a very rare bird, the male Scoter Black Duck, or Black Diver. These birds are only sparingly scattered on the coast of England, where they feed on small shell-fish, of which they are very fond. In France, they are often sold to the Roman Catholics, who eat them on fast days, and in Lent, when their religion has forbidden them the use of all animal food, except fish. It is very uncommon for either of these birds to be found so far away from their food. They have been stuffed and placed in the private museum of Mr. J. King, of Appleford, Berks.



**THE LION WALLACE.**—Friday se'nnight, as Mr. Wombwell was passing through Aylsham, on the way to Lynn Mart, he stopped a few hours to exhibit his menagerie, and was very fully attended. Just before feeding time, a young man, by the name of Rix, at the Dog Inn, happening to go too near the den in which the lion Wallace was confined, had his arm very much lacerated by his claws; but the wound was soon sewed up by a surgeon, who was upon the spot at the time. A gentleman had his coat very much torn a few minutes before by the same lion.

**6. ROBBERS IN GERMANY.**—Mausche Nadel, the swindler, and captain of banditti, notorious throughout Germany, Switzerland, Alsace, and Lorraine, has been brought before the Court of Assizes in Mayence, and, after a trial which occupied several days, condemned to death. His fine and expressive countenance excited much interest, especially among the women. The indictment recited, among other adventures of his, that he let himself down from a prison at Bremen, three stories high; swam through the Weser, loaded with his irons; received, when in the middle of the river, a musket shot in his leg, and yet escaped. In the speech of the city Procurator, on the trial of Nadel, there were some curious, though probably fanciful, statements respecting the number of robbers in Germany. The result is, that there are in Germany 16,000 robbers, of whom no less than 12,000 are Jews.

**EXPLOSION OF FIRE DAMP.**—On Sunday morning last, J. Weston and M. Pointon, of Shelton, and W. Bedworth and R. Lodge, went down in the coal pits near

Cobridge, in the Potteries, to the Great Row Mine. Weston and Pointon, who were acting as guides to the other two, not being aware of the portion of the pit now in use, took a light into an old part of the mine, upon which the inflammable air ignited, and an explosion ensued; all the men were much burned, and Mr. Lodge, so much so, that he expired on Tuesday last, the fire having caused an inflammation extending to the brain; he remained totally blind, and his face was blackened over, like burnt coal. An inquest was held on the body on Wednesday. William Stonier, the assistant engineer, deposed to letting the four persons down into the pit, which is more than 200 yards in depth. About half an hour afterwards he saw the rope shake, when he drew them up, and R. Lodge was so much burnt, that he was obliged to be carried in a chair. Mr. Malkin, the brewer, deposed that Lodge had been employed by him in fixing some vats; he had expressed a wish to go down and see a coal-pit; and Mr. M. promised he should be gratified, but advised him not to do so till he got a proper person to accompany him, who knew the pits; and Lodge promised to do as advised; previously, however, he had seen some other person (Weston), and went down on Sunday morning as described, without informing Mr. M. where he was going. On the Monday he appeared better, and conversed with Mr. Malkin, but delirium and death soon followed. Verdict—Accidental Death.

**THAMES TUNNEL.**—At a meeting of the shareholders of the Thames Tunnel company, held



this day, at the City of London tavern, the chairman stated that on the 2nd of March last, was laid the foundation of a circular brick tower, of 50 feet diameter, 40 feet in height, and 3 feet in thickness. This tower was gradually undermined and sunk until it rested on clay; a well was then built from beneath to meet the kirb on which it stood, till, from the depth of 64 feet, the shaft was completed, and a well formed, 17 feet deep, and 25 feet diameter in the centre of the area, to serve as a receptacle for any water that might at any time casually collect in the works, and which always brings it under the command of the steam-engine pumps. The breaking through the shaft, and commencing the tunnel, were always looked forward to as one of the greatest difficulties to be encountered. Such have, in fact, arisen, but by skill and industry they have been surmounted as they arose: the tunnel has been safely carried through, and closely and effectually united with the wall of the shaft; the arches and foot and carriage ways have been commenced, and the iron machine invented by Mr. Brunel, that the workmen might have a security and confidence while at work, is already  $33\frac{1}{2}$  feet in advance from its first position in the shaft, and it is closely followed up by strong brick-work in Roman cement.

9. NARROW ESCAPE FROM DROWNING.—This morning, soon after two o'clock, the driver of a hackney-coach proceeded to the horse-ferry, at Millbank, to wash and water the horses. Lee, a watchman, seeing the tide running up fast, cautioned the driver of the danger he ran, but the latter treated the watchman's warning

with contempt. He then proceeded into the river; when the coach and horses were borne away by the current; but his cries soon brought the watchman to the spot, who, assisted by a bargeman, succeeded in rescuing him. The carriage and horses were, however, carried by the stream up to Vauxhall-bridge, where at length the coach filled with water. Drags were procured, and after an effort of two hours the horses were found drowned under the coach.

DEATH OF THE KING OF PORTUGAL.—On the 4th instant his majesty was attacked with an apoplectic fit, together with epilepsy. On the 5th and 6th his malady increased to such a degree as to create the greatest alarm for his life.

After the crisis of the 6th, his majesty experienced no new attack till the 9th, when his malady returned with augmented violence. He expired on the 10th, at six in the evening.

In the absence of the heir of the crown, the princess Isabella Maria, eldest daughter of the king, acted as regent.

John VI. king of Portugal, emperor of Brazil, was born May 13th, 1767. From 1792 he governed in the character of regent, in the name of the queen, his mother, who was affected with mental alienation. He succeeded her in 1817, and was crowned at Rio Janeiro, to which place he had retired on the invasion of Portugal by Buonaparte who, lost no time in proclaiming that the House of Braganza had ceased to reign. John VI., while still but prince of Brazil, married, in 1790, the infanta Charlotte Joachima, daughter of Charles IV. of Spain.



The infanta Isabella Maria, who now acts as regent, is the fourth daughter of John VI. She was born July 4, 1801.

12. This morning the duke of York, attended by the officers of his staff, arrived in St. James's Park, where the serjeants and corporals of the regiments of the line have been practising, for two or three months past, a new and improved exercise, introduced by sir Henry Torrens, with the sanction of his royal highness, the great object of which is, to effect speed in their evolutions. The men went through the new exercise which has been taught them by the drill serjeants of the Guards, highly to the satisfaction of the royal duke, and the regiments of the line will in future be trained in the same way. The exercise occupied about an hour and a half. The serjeants and corporals of the line will now be sent to their different regiments, to teach the privates in their different companies the new exercise, which they have been taught, and perfected in.

13. SUICIDE.—In the gaol of Edinburgh, William Pollock, who was under sentence of death for the murder of his wife, and who was to have suffered the last punishment of the law on Wednesday, strangled himself in his cell with a portion of his own shirt. At eight o'clock, the upper turnkey visited Pollock, and cleaned his cell. The prisoner then said he felt more easy, and in better spirits. When breakfast was taken to him, about half-past nine, he was found dead, but not quite cold. He had torn out the back of his shirt, and a strip from the side of a blanket, and these he twisted into the form of a small

rope, and fastened to the cross bar of a table—a piece of wood about fifteen inches long, and three-quarters of an inch thick—which he had laid across the ventilator of his cell, a small circle of eighteen inches diameter, formed in the wall which separates the apartment from the passage. The height of this ventilator is only six feet four, or thereabouts, from the floor of the cell. But between it and the floor is the bed—a thick oak plank—on which the unhappy man lay—and likewise the gaud or iron bar and the ring to which he was fastened. He had so adjusted his bed-clothes, however, as to entangle his feet, and prevent them reaching the ground when he threw himself off. He had also drawn a rug between the gaud and the ring of his fetters, to prevent noise. Indeed, the whole circumstances evince a degree of determination and deliberation that is surprising. Pollock left three letters, and a scrap of paper, containing an inventory of his effects in the gaol; these he wished to be given to his son. The letters were all of nearly the same tenor; in them he admits the guilt of suicide, but states that he could not endure the thought of suffering on the scaffold for a crime he “could not bring his mind to believe he was guilty of.” To Mr. Young, the governor, he writes—“Excuse this rash act; when you consider all, you will see there are good intentions, though not towards myself.” Pollock had, throughout the whole course of his confinement, conducted himself very quietly; but always denied the murder, and appeared rather irritated when taxed with it.

14. CORONER'S INQUEST.—To day an Inquisition was held at the



Fox and Bull, Knightsbridge, before Mr. Thomas Higgs, the deputy coroner for Westminster, and a jury, for the purpose of ascertaining the cause of the death of a man named James Harding. There was a large green wound, or hole, in the pit of the stomach, and on the skull there was also a wound, which appeared to have partly healed. He seemed to have been a very robust man, and was apparently about 35 years of age.

James Knight sworn.—I live in Exeter-place, Exeter-street, Chelsea. On Monday evening last, about 8 o'clock, I was coming from Hyde-park-corner towards Knightsbridge, and observed a cart drawn by two horses, in which were three men, proceeding with considerable speed towards Piccadilly. The driver and the deceased were on the shafts, and the wheel horse giving a plunge, they were thrown into the road, and the near wheel of the cart passed over both of them. The horses kept on at a furious rate, with the other man in the cart. I went to the spot where the two men were lying, and found the deceased quite senseless. I, with assistance, moved the poor fellow on to the footpath, and the other man was taken away in a hackney coach. A shutter was procured, on which the deceased was placed, and we were taking him along, when the shutter broke, and the poor fellow fell to the ground. However, we succeeded in removing him into a public-house. The deceased said, "Oh my loins."—We had scarcely removed him here, when two men, dressed in great coats, came in and said that the deceased was an incorrigible impostor, that they were police officers, and had known

the tricks and impositions of the fellow for years past. I said they were mistaken in the man, and related the accident. This they did not believe, but said they would take the drunken beast out of the house, which they actually did, by dragging him in the agonies of death along the passage. They placed him against the wall by the footpath, where they pointed him out to the mob as a rogue and a vagabond. I remained some time, but the fellows alluded to declared themselves to be constables, and said that if I did not, as well as the others, go about my business, they would take us into custody. I then went away, and did not again see the deceased till he was dead.

The coroner drew up the following special finding, which met the approval of the jurors:—

"That the said James Harding was accidentally run over by a cart he was in; that he was afterwards taken up and lodged in Knightsbridge watch-house as an intoxicated person; that he died in the said watch-house; that there was a green wound or hole in the pit of the stomach, as also an old wound on the head; but, as to the cause of his death no evidence has appeared before us jurors, although we have adjourned twice for the purpose of obtaining the advice of a medical gentleman, for which the parish officers of St. Margaret, Westminster, were applied to, but refused to furnish one."

16. SUFFERING OF A CREW FROM FAMINE.—*Portsmouth*,—His majesty's ship *Blonde*, which arrived yesterday at Portsmouth, fell in with, on the 7th inst., in lat. 44 deg., 43 min., north, long. 21 deg. 57 min. west, the *Frances*



Mary, of 398 tons, Kendal master, of and from New Brunswick, bound to Liverpool, timber laden (being her first voyage), waterlogged, and a perfect wreck. The master, his wife, three seamen, and one female passenger, were all who remained out of a crew of seventeen. The following is the history of this unfortunate vessel.

“Sailed from St. John’s, Jan. 18.—Feb. 1: Strong gales from the W.N.W.: carried away the main-top-mast and mizen-mast head: hove-to; got boats’ sails in the main-rigging, to keep the ship to the wind. At 11 P.M. shipped a heavy sea, which washed away the cabouse, jolly-boat, and disabled five men.—Feb. 2: Cleared away the wreck, and made sail before the wind: strong breezes.—Feb. 5, 11 A.M.: Strong gales, with a heavy sea—clewed the sails up, and hove-to—head to the southward: shipped a sea, which carried away the long-boat, companion, tiller, unshipped the rudder, the best-bower chain, and washed a man overboard, who was afterwards saved. At 11. 10. another heavy sea struck us, which stove our stern in. Cut away our foremast, and both bower anchors, to keep the ship to the wind: employed in getting what provisions we could—by knocking the bow port out, saved 50lbs. of bread and 5lbs. of cheese, which we stowed in the main-top: got the master’s wife and female passenger up, whilst we were clearing away below, lightening the ship: most of the people slept in the top: at daylight found Patrick Cooney hanging by his legs to the catharpins, dead from fatigue: committed his body to the deep.—Feb. 6, at 8 A.M.: Saw a strange sail standing towards us: made signal of distress—stranger spoke us, and remained

in company twenty-four hours, but received no assistance, the American making an excuse that the sea was running too high. Made a tent of spare canvas on the forecastle—put the people on a short allowance of a quarter of a biscuit a day.—Feb. 8; Saw a brig to leeward: strong gales.—Feb. 9, 10 A.M.: Observed the same vessel to windward—made the signal of distress; stranger bore up and showed American colours.—Feb. 10: He spoke to us, asking how long we had been in that situation, and what we intended to do—if we intended leaving the ship?—answered, yes: he then asked, if we had any rigging?—answered yes: night coming on, and blowing hard—saw no more of the stranger. Suffered much from hunger and thirst.—On about the Feb. 11: saw a large ship to the northward—did not speak her: wore head to the northward. At this time all our provisions were out—suffered much from hunger, having received no nourishment for nine days!—Feb. 21: Departed this life, James Clarke (seaman): read prayers, and committed his body to the deep. We were at this time on half a gill of water a-day, and suffering much from hunger: during the whole period of being on the wreck, we were wet from top to toe.—Feb. 22: John Wilson (seaman) died, at 10 A.M.; preserved the body of the deceased: cut him up in quarters, washed them overboard, and hung them up on pins.—Feb. 23: J. Moore died, and was thrown overboard, having eaten part of him, such as the liver and heart.—From this date to Saturday, the 5th of March, the following number perished from hunger: Henry Davis (a Welsh boy); Alexander Kelly (seaman); John Jones, apprentice boy, nephew



of the owner ; James Frier, cook ; Daniel Jones, seaman ; John Hutchinson, seaman ; and John Jones, a boy : threw the last-named overboard, his blood being bitter ; also James Frier, who was working his passage home under a promise of marriage to Ann Saunders, the female passenger, who attended on the master's wife ; and who, when she heard of Frier's death, shrieked a loud yell, then snatching a cup from Clark (mate), cut her late intended husband's throat, and drank his blood, insisting that she had the greatest right to it—a scuffle ensued, and the heroine (the words of the narrator) got the better of her adversary, and then allowed him to drink one cup to her two !

—Feb. 26 : On or about this day an English brig hove in sight—hoisted the ensign downward—stranger hauled his wind toward us, and hauled his foresail up when abreast of us, kept his course, about one mile distance, set his foresail, and we soon lost sight of him ; fresh breeze, with a little rain—the sea quite smooth, but he went off, having shewn English colours ; had he at this time taken us off the wreck, much of the subsequent dreadful suffering would have been spared us.—March 7 : His Majesty's ship *Blonde* came in sight, and to our relief, in lat. 44. 43. N. long. 21. 57. W.—Words are quite inadequate to express our feelings, as well as those which Lord Byron and our deliverers most evidently possessed, when they found they had come to rescue six of their fellow creatures (two of them females) from a most awful, lingering, but certain death. It came on to blow, during the night, a fresh gale, which would, no doubt, have swept us all overboard.

—Lieut. Gambier came in the

ship's cutter, to bring us from the wreck—he observed to us, ' you have yet, I perceive, fresh meat,' to which we were compelled to reply—' No Sir ; it is part of a man, one of our unfortunate crew !—it was our intention to put ourselves on an allowance even of this food, this evening, had not you come to our relief.' The master's wife, who underwent all the most horrid sufferings which can be imagined, bore them much better than could possibly have been expected. She is, though greatly emaciated, a respectable, good-looking woman, about twenty-five years of age, and the mother of a boy seven years of age. What must have been the extremity of want to which she was driven, when she ate the brains of one of the apprentices, saying it was the most delicious thing she ever tasted ? It is melancholy to add, that the person whose brains she thus was forced by hunger to eat, had been three times wrecked before, but was providentially picked up by a vessel after being two-and-twenty days on the wreck water-logged. In the present instance, he perished, having survived similar sufferings for a space of twenty-nine days, and then became food for his remaining shipmates ! Ann Saunders, the other female, had more strength in her calamity than most of the men : she performed the duty of cutting up and cleaning the dead bodies, keeping two knives in her monkey jacket. When the death of any of the company was announced, she would sharpen her knives, bleed the deceased in the neck, drink his blood, and cut him up. From want of water, those who perished drank their own urine and salt water ; they became foolish, crawling upon their hands



round the deck (when they could) and died generally raving mad."

17. LANCASTER ASSIZES.—James Evans, aged 27, was indicted for the wilful murder of Thos. Price, at Manchester, on the 3rd of February last. [*See p. 18.*]

Mr. Scarlett, Mr. Ashworth, and Mr. Starkie conducted the prosecution, and Mr. Sergeant Cross, Mr. Williams, and Mr. Jones the defence. The trial lasted from eight o'clock in the morning till nearly ten at night, and upwards of fifty witnesses were examined. The deceased, Mr. Price, was a calico-merchant, resident in Manchester, and he occupied, for the purposes of trade, two floors of a building in Manchester-square. The prisoner, who was a clerk or warehouseman, and a woman of the name of Mary Price, who was a cutter, were employed on the premises. It was the custom for these two individuals, as well as the deceased, to go to dinner each day at one o'clock, and on that occasion the doors of the two warehouses were locked, and the keys deposited in the counting-house, which was also locked, and the key of the counting-house was kept by either the prisoner or the deceased, just as it might happen. A room which led to the counting-house, and in which Mary Price worked, was also locked, and the key of the last-mentioned room was always left at an office on the ground-floor, which was occupied by a Mr. Gibson, who was the secretary of a savings bank. On the 3rd of February last, this key was not left at Mr. Gibson's, and at about a quarter past one on that day a fire was observed in the highest of the rooms occupied by the deceased. It was supposed

that all the parties belonging to the warehouse were at dinner, and a number of the neighbours assembled sent for the fire-engine, and, with some difficulty, broke open the door. When the smoke had cleared away, it was discovered that the room had been on fire in two places; that a great quantity of pieces were piled up in the middle of the floor; and that the obstruction, which had been offered to the opening of the door, had been occasioned by a number of pieces so placed as to form an effectual barricade. It was at first a matter of surprise how the person, who had placed the pieces against the door, had contrived to get out of the room; but it was afterwards explained, that that end might have been effected by placing the pile of pieces at a small distance from the door, in such a position as to recline against it, by which means the door might have been opened sufficiently wide to allow a person to pass, and then, upon being closed on the outside, the pieces would fall down against it, and thus form a barricade. As soon, however, as it was safe to do so, the party assembled, which had then been joined by the prisoner, proceeded to search the room, and upon lifting up the pieces in the middle of the room, the body of the deceased was found quite dead. There was a quantity of coagulated blood on the floor, and the head of the deceased displayed several wounds, the principal of which was a fracture of the skull behind the left ear, through which a quantity of brain had protruded. The body was carried to the infirmary, and at first, some of the medical men were inclined to think that the deceased had died



of suffocation, and received the wounds on the head afterwards. On dissection, however, from the quantity of blood which was found between the scalp and the skull, and also from the quantity of blood which had evidently flowed from the wounds of the deceased, the surgeons were unanimously of opinion, that the wounds must have been inflicted on the deceased when he was alive. The situation in which the deceased had been found having been detailed, a train of evidence, purely circumstantial, was shown, to connect the prisoner with the murder. The prisoner, as before stated, was a clerk in the warehouse of the deceased, and a witness proved that the night before the murder, the deceased had complained, in the presence of the prisoner, of the manner in which the prisoner had kept the books. Mary Price, the woman who worked on the premises, then swore, that the prisoner had been on the premises during almost the whole of the forenoon of the 3rd of February, going up and down stairs frequently, and that she had not observed the deceased go out, though she thought that, if he had gone down in the usual manner, she must have observed him. She said that, about one o'clock, the prisoner locked up the doors, and she went to dinner. It was then proved, by a friend of the prisoner, that he had met him on his way to dinner, at about five minutes past one, and had observed that there was some blood on his shirt collar. Lavender, the police officer, proved that he apprehended the prisoner, on the premises, at about four o'clock in the afternoon of the 3rd of February, and that the prisoner wore then a clean collar and a

clean cravat, spread in such a manner as to conceal the shirt. Lavender lifted up the cravat, and then observed some stains of blood on the breast of the shirt. Prisoner was asked how the blood had come there, and at first said that he did not know how; but afterwards said that he had got it in assisting to remove the deceased to the infirmary. It was proved that the prisoner had not assisted in the removal. Lavender then searched the lodging of the prisoner, and found, in a clothes bag, a collar slightly stained with blood, and a cravat, which on being unfolded, also displayed some spots of blood. It was also sworn, that whilst in custody, he had said, "If I had known of this yesterday, I would have been in a different county to-day:" and afterwards, "After all, it is but suspicion, and they can prove nothing against me." A hammer which had been kept in the warehouse was proved to have disappeared about the time of the murder.

The prisoner, in his defence, put in a written paper, which was drawn up extremely well, and which contained some very ingenious arguments in his favour. It urged that no sufficient motive had been shown that could have induced the prisoner to commit such a crime, and that, in point of fact, he had been a great loser by the death of the deceased. He suggested that, as it would be proved that the firemen had used their axes, it was probable that Mr. Price had first been suffocated by the smoke, and then received the wound on his head from the axe of one of the firemen. He would call evidence to show that the deceased had been seen on his own premises a little before one, and then, if they re-



membered the evidence of Mary Price, and of the person who had sworn that he had met him at five minutes after one, they would feel certain that he could not, by possibility, have been the murderer. Witnesses were called, who proved that Mr. Price had been seen at different times on that morning, between twelve and one o'clock. One witness swore to having seen him at a quarter or ten minutes before one. None of the witnesses, except the father of the prisoner, were known to or connected with the prisoner's family. They were, for the most part, clerks in mercantile houses at Manchester, who had called upon the deceased on business. It was proved also that the fireman who first entered the warehouse which was on fire, had returned to the engine, and taken his hatchet, and again entered the room. It had been before proved that the wounds on the head of the deceased might have been produced by the axe of a fireman.

Mr. Justice Bayley summed up the case with great care, and the Jury almost immediately declared the prisoner *Not Guilty*.

18. THE FUNERAL OBSEQUIES OF THE EMPEROR ALEXANDER. (*Translated from the Russian.*)—This being the day appointed for the arrival of the funeral convoy with the remains of the late emperor, from Zarskoe-Selo, at seven o'clock in the morning, three discharges of guns, from the fortress of St. Petersburg, announced to those who had any official part to sustain in the solemn ceremony, to prepare to assemble at the Moscow barrier. For some days preceding, every arrangement had been made in the capital to heighten the effect of the mournful scene, and render

it as impressive as possible: all the streets through which the procession had to pass, from the barrier to the Kasan church, displayed the zeal of the inhabitants to pay every tribute of respect to the memory of their late sovereign, nearly each house having black draperies and festoons suspended in front. The Gostinnoi Dvor, and other public edifices, were profusely adorned with sable decorations, on which were displayed the Emperor's cypher in silver. In the Newsky Perspective the front of general Sabir's residence was hung with black; and the portico of the Roman Catholic church in the same street distinguished itself by the simple, but tasteful, style, in which it was fitted up on this solemn occasion. Upon its being announced by the guns at the barrier that the funeral procession was approaching the city, the heralds and the masters of the ceremonies began to arrange in due array all those who were to join the cortège. Various regiments of troops lined the streets the whole way; and, from a very early hour, all the windows and scaffoldings (which latter were erected wherever there was an open space) were crowded with spectators. At half past ten the Emperor, accompanied by the grand duke Michael, the princes of Orange and Prussia, the duke of Wellington, and a numerous suite, reached the barrier, and shortly afterwards arrived a carriage drawn by eight horses, in which were the two empresses Alexandra and Maria, the princess Maria of Wirtemberg, and the young heir-apparent, the grand duke Alexander: on one side rode prince Dolgoruki, on the other count Mødin, and, behind, the master of the horse. This carriage was followed by several others,



each drawn by six horses, in which were the ladies of honour, and other persons of the imperial suite. On the approach of the funeral cavalcade, they all advanced to meet it.

At half past eleven, the signal was given by a triple discharge of artillery for marshalling the procession to the Kasen cathedral; upon which the bells of all the churches began to toll, and minute guns to be fired. The procession having been properly arranged, the mournful pageant commenced its march. The funeral car, which consisted of several tiers rising one above the other, was covered with black velvet, decorated with silver eagles, and several other devices: the wheels, likewise, which were adorned with a considerable quantity of carved work, were richly plated with silver. Above the car itself was a magnificent canopy, supported on gilt pillars or rods; the cornice, which was of silver, supported gilt helmets, with plumes of ostrich feathers, and the summit terminated in an imperial crown. Within the canopy itself was the emperor's cypher embroidered in gold, and surrounded with golden rays. The coffin was covered with gold stuff, and enriched with gilt ornaments, representing the double-crested eagle, &c.; the pall likewise was of cloth of gold. On the steps of the car were four major-generals; and the tassels and cords of the canopy were supported by eight officers of the same rank. On each side of the car, rode the adjutants and aids-de-camp of the late emperor, and each of the horses of the car itself, was led by an attendant. Next followed attendants leading the late emperor's own charger and parade horses, all

of which were splendidly caparisoned, and ornamented with a profusion of white plumes.

After them came the emperor Nicholas as chief mourner, with the duke of Wellington, count Tolstoi, &c. as his supporters; then the grand duke Michael, the princes of Orange and Prussia, the duke of Wirtemberg and his sons, with a train of military officers and others; and lastly, the carriages of the imperial cortège.

The effect of this magnificent spectacle was greatly enhanced by the long train of distinguished persons and their assistants bearing the regalia, and various orders of the late Emperor, on cushions of cloth of gold. The former consisted of the imperial crown, and four others, viz: those of Taurida, Siberia, Astrakhan, and Kasan, with the sceptre and orb imperial. Of the latter there were twenty-seven foreign, and eight Russian orders. A solemn march, composed expressly for the occasion by Derfeldt, was played by the kettle-drums, trumpets, &c. which preceded the procession.

As the car proceeded along, the military presented arms; and at intervals this salute was accompanied with music from the different bands. At the portals of the various churches which the procession passed on its route, stood the ecclesiastics habited in their richest vestments.

Beneath the portico of the Kasan cathedral, the foreign ministers and other individuals of rank, were waiting the arrival of the procession, which reached the church at about half-past one o'clock. The coffin was then taken from the car and borne into the church, where it was deposited within the sumptuous catafalco, where it was to



lie in state for six days, until it should be finally removed for interment in the cathedral of St. Peter and St. Paul. Nothing could exceed the magnificence with which the church was fitted up on this occasion. The walls were entirely hung with black drapery, decorated with silver crosses of colossal dimensions; the granite columns were likewise covered with the same, and edged with silver; while the frieze was decorated with the arms of all the provinces and governments of the Russian empire. In various parts were erected trophies consisting of standards taken by the Russian arms, and placed upon pedestals decorated with wreaths of laurel, and the medal of 1812; —eloquent and affecting memorials of him who had been the liberator of Russia, and the pacificator of all Europe! In the midst of this lugubrious pomp stood the catafalco: this splendid structure, which was erected after the designs of the architect Rossi,\* was intended to represent the temple of glory; and blazing with almost inconceivable splendour, being lighted up by no fewer than 1700 tapers, formed a strong contrast with the surrounding gloom and funereal array. The ascent to this catafalco was by fifteen steps, on three of the sides; at the foot of which, on each side were statues of angels in a mourning attitude, resting upon shields bearing the imperial arms. The six upper steps, and the platform to which they led, were covered with red cloth; the others with black. Sixteen columns painted in imitation of *verde antique*, and decorated

with silver escutcheons, supported the cupola of this shrine; upon which were four weeping genii: on its summit was a colossal golden eagle, bearing in its talons a thunderbolt, and standing upon a splendid diadem, from which was suspended a rich crimson drapery, embroidered with golden eagles, trimmed with gold fringe, and lined with white. Upon the sides of the catafalco were suspended the keys of the various cities taken by the deceased emperor; and around were placed 42 *tabourets*, on which were deposited the cushions with the regalia and orders. The lights were arranged in 28 candelabras, 32 lustres, 16 vases, 12 tripods, 32 girandoles, and 8 standards, each bearing 28 tapers.

Throughout the whole of the period during which the body lay in state, a funeral service was celebrated every day at eleven in the morning, and eight in the evening, in the presence of the imperial family, and such persons as were admitted by tickets: at other times admission was freely given to all classes, who crowded to pay the last tribute of respect to the ashes of their sovereign.

At an early hour on the 25th, preparations were made for the final ceremony that was to take place that day. By nine o'clock the military had taken their stations along the streets leading from the Kasan cathedral to that of St. Peter and St. Paul: the scaffoldings which were erected along the Sadovoi (garden) street, and the palisading of the summer garden were occupied with spectators; but orders had been given to the police not to suffer the people to assemble upon the Neva, as it was apprehended that the ice was not sufficiently strong, and some accident might ensue.

\* The architect of the magnificent new palace of the grand duke Michael at St. Petersburg.



At eleven o'clock the imperial family and court proceeded to the Kasan church, where a solemn service having been performed, the funeral procession set out for the church of St. Peter and St. Paul, in the same order as on the 18th, the only alteration being that the same individuals did not in every instance take a share in the ceremonial. Between one and two o'clock, they reached the cathedral—when the coffin having been borne into the choir, and placed on a catafalco, the funeral service according to the rites of the Greco-Russian church, commenced; and solemn dirges were chaunted. The metropolitans of St. Petersburg, Novogorod and Kiev; the archbishop of Yaroslav and Tversk, and several other distinguished ecclesiastics, officiated on this mournful occasion.

The affecting solemnity of these obsequies was rendered more impressive by the deep grief depicted in the countenances of all the members of the imperial family, and every individual admitted to witness the ceremony. At length a discharge of the artillery and musketry announced to the inhabitants of the capital, that the mortal remains of their late sovereign were deposited in their final abode, on the right side of the altar, in a line with the tomb of his father, the Emperor Paul. On the same day the vault was closed up, and a marble sarcophagus placed upon it, similar to those over the graves of other individuals of the imperial family.

The ceremony being ended, the Emperor, the Empress, the grand duke, the princes of Orange and Prussia, the duke of Wellington, and a numerous suite immediately retired to the Winter Palace.

Thus terminated one of the most imposing funereal pageants ever witnessed, as remarkable for the unfeigned expression of sorrow and attachment on the part of the people, as for the magnificence with which it was celebrated. The funeral convoy set out from Taganrog on the 9th of January, accompanied for a considerable distance by a countless multitude of all ranks; and not only all the principal towns and cities through which it passed in its way to the capital, but even the smallest villages endeavoured to show every indication of respect to the memory of the deceased Emperor. The procession reached Moscow on the 15th February, when the body was placed in a magnificent funeral car provided for that purpose, and conveyed in solemn procession to the cathedral, where it was laid in state on a catafalco, amid the demonstrations of the most sincere and lively grief on the part of the inhabitants.

20. John Diggles was executed at Lancaster, for the murder of Benjamin and Alice Case. On Sunday afternoon he acknowledged that the murder was perpetrated by himself only; that his sole object was plunder, and, being well known to both the old people, he murdered them, in order that no testimony might rise against him from them; that he searched as much as he could for money, but the appearance of the old people after their murder so terrified him, that he seized the first article that came to hand, and then fled; that he was determined to deny his guilt, till legally convicted, and that now, having disburdened his mind from the load, he felt more tranquil.

FIRE AT LIVERPOOL.—This



morning a fire was discovered in the warehouse of Mr. Price, ship-chandler and roper, Duke's-place, opposite to the Duke's Dock. The fire commenced in the cellar, and burnt so rapidly, that by two o'clock the warehouse, which is six stories high, was on fire in every part. The wind blowing strong from the north-westward, fanned the element into destructive fury. Soon after two o'clock, the front of the warehouse was one complete sheet of flame. Great alarm was excited in the neighbourhood on the falling of the roof, by the burning brands and fragments blown by the wind, which literally covered the adjoining yards and houses. The West of England Fire-office engine was first on the spot, followed, in about ten minutes, by that of the Norwich Union-office, and they began to play with great effect upon the building. The flames, however, after destroying the warehouse, caught the shop of Mr. Steele, optician, the interior of which was entirely destroyed, as well as the valuable stock of that gentleman. The two engines continued to play upon the burning pile and the adjoining premises. From the want of a supply of water, four or five other engines, which were upon the spot, were totally useless.

**CESSION OF LUXEMBURG.—Hague.**—The federal fortress of Luxemburg was given up on the 13th to the German confederation.

The following are the particulars which preceded and accompanied the ceremony:—

Since the 10th the Netherland Authorities kept more together, in spite of the endeavours of the other party. Neither the civil governor, nor the major-general Van Goe-

decke, in his character of military governor, and of commissioner of the king of the Netherlands, accepted the repeated invitations of the military government, which daily give all sorts of entertainments. His excellency the civil governor, M. Willmar, gave, on the 11th, a grand entertainment, at which none but Netherland functionaries were present. The commissioners of the German confederation several times waited on general Van Goedecke, who firmly abided by his instructions. On the 13th his highness the prince of Hesse Homburg, governor of the fortress, acquainted general Van Goedecke, that the solemnity of giving up the fortress would take place at eleven o'clock. Every thing was prepared for this purpose; the three regiments of the line, viz. the 30th, 39th, and 40th, composing the Prussian garrison, made themselves ready for the parade, when an aide-de-camp of the general presented to the prince governor, a protest on the part of the king of the Netherlands, to which the prince replied, "It is now too late." The ceremony now began; the keys of the fortress were presented by the major de place to the commandant; the latter gave them to the prince governor, who delivered them into the hands of the commissioners of the German confederation; and an oath in the name of the confederation having been administered to the commandant, the keys were returned to him. All this took place on the parade, whence his highness, accompanied by the generals and many inferior officers, proceeded to his hotel, before which the three regiments above mentioned twice defiled in grand parade.

**NEW COMET.**—M. Gambart



discovered a comet on the 9th of March, from the observatory at Marseilles. He has calculated its orbit from observations which comprise a heliocentric arc of seventeen degrees, and has found the following results: passage in the perihelium, 1.627, March 18th, 3 hrs, 2 min. 47 sec. afternoon; longitude of the perihelium, 102 deg. 41 min. 30 sec.; longitude of the node, 247 deg. 31 min. 20 sec. inclusive of the orbit, 15 deg. 1 min. 20 sec.; perihelium distance; 0.976 (that from the earth to the sun being taken for unity); motion direct.

M. Gambart marked a striking resemblance between this comet, and two comets which appeared, one in 1772, and the other in 1805. If the identity were proved, we should have another period of a comet ascertained, which would seem to be about  $6\frac{3}{4}$  years.

21. CASE OF MURDER.—Thomas Lovett, and Johanna Lovett, his wife, were indicted for the wilful murder of Thomas Creane, the late husband of the prisoner Johanna, at Gallerus, in the county of Kerry.

John Creane examined.—Believes he is about ten or twelve years old.—Is son to Thomas Creane, who was murdered. Recollects to have seen the prisoner, Thomas Lovett, frequently at his father's house during his life time, when his father, who was a carpenter, used to be in the country at work. Witness saw the prisoner, Thomas, in bed with his mother two or three times before his father was killed. Witness recollects the night on which his father was murdered. In the evening of that day the prisoner came to their house. His father desired Lovett to go home, saying,

it was too late for him to be in the house, as he wanted to go to bed. The deceased at the same time desired the prisoner Johanna to prepare for bed. She answered that there was time enough. The deceased went to bed, leaving the prisoners together. Before the deceased went to bed, Thomas Lovett said, in answer to the deceased, who wanted him to go home, that he would not—that he would remain there as long as he liked. The deceased, after he went to bed, finding that the prisoner Johanna was not disposed to come to bed, and that the other prisoner was still in the house, came from the bed-room into the kitchen, where they were, and threatened to go to the brother of his wife, and inform him of her conduct. He went out accordingly, but he soon returned back. The deceased was angry and uneasy, and he attempted to go out a second time, but was prevented by the prisoner, Thomas Lovett. The deceased again asked Lovett, whether he would leave his house. Lovett refused, saying, that he would remain there as long as he thought proper. The deceased then left the house. Before the deceased went out, he came to witness in the bed, and desired him to go into his bed until the deceased returned. When the deceased left the house the prisoners sat down together at the kitchen fire. Witness could see them from the bed. The candle remained lighted in the kitchen for some time. They conversed with each other in so low a tone, that witness could not hear. In some time after, the deceased came into a bed-room where the witness lay, through a window from the outside, and stood concealed at the room door,



where he remained for some time listening to what the prisoners were saying. At this time the candle was extinguished. He desired witness not to speak, that he might hear them. He remained a considerable time there, and desired prisoner to go home instantly. Lovett refused. After this, while the deceased was standing in the kitchen near to where the prisoners were sitting, Lovett got up and laid hold of the deceased and tripped him, by which the deceased fell with Lovett over him. The deceased repeatedly called out to the prisoner to let him go, and not to kill him. At this time witness came from the bed to the door of the bed-room, and cried out. He called to the prisoner to let go his father. Lovett said that his father had got a cholic, and that he was taking him off the ground. The other prisoner desired witness to go to bed, and not to remain in the kitchen. As the deceased lay on the ground, with Lovett over him, in the act of choking him, she went to the other side of the body, and squeezed his throat under the ear. Lovett was lying upon the body, with his knees pressed upon the stomach. The outward door was fastened. Witness became frightened, and did not endeavour to go out to give the alarm. After they had so killed his father, Lovett raised the body and placed it in a corner of the kitchen, having desired Johanna to go and call in the brother of Lovett, who lived the next door to them. The head of the deceased, when Lovett raised him, was down on his chest. The woman accordingly went out of the house, and in a few minutes returned with James Lovett, the prisoner's brother. They lighted a candle. James Lovett came to

the body and raised the head, and discovered some marks on his neck. He asked what scraped the neck of the deceased; to which one of the prisoners answered, that the deceased had fallen during the night, and received the scratches. James Lovett made no further observation. The prisoner, Thomas Lovett, shaved the deceased preparatory to their laying him out as a corpse. At this time day was approaching. The witness would have told T. Lovett's brother of what had occurred, but he was in dread to do so, Johanna having cautioned him not to tell any one what he had seen. Witness is the second eldest child of the deceased. There were four children: the eldest is rather an idiot. The child next in point of age to witness was about four years; another was still younger. In about a week after the deceased was interred, the prisoner Lovett, and the prisoner Johanna, told witness, and Michael, the idiot, that they could not remain with them; that they should go and live with their uncle, Thomas Moriarty, but that the two youngest might remain with them. Witness accordingly did go to Moriarty. Moriarty, in a few days afterwards, asked witness if he knew whether his father died a natural death, or otherwise? Witness then detailed to Moriarty the circumstances of the murder — who said that his mother was a bad woman, but cautioned witness not to tell the matter to any person but his uncle, as she might be hanged if he did so!

Catherine Fitzgerald. — When witness went to the wake, she was asked by a woman, who was a near relative, whether she had observed marks which were on the neck of



the deceased: witness, at the request of that woman, went over the body, and removed the cravat from the neck: witness discovered upon the throat of the deceased a red circle, and there was a mark upon the chin, as if the deceased had been slightly cut; at that time the witness made no observation, not having had any suspicion of the cause of the death.

Michael Creane.—Witness was brother to the deceased. He died four weeks before last Christmas was a twelvemonth. The deceased was married about fourteen years before. He was married to Johanna Moriarty, the prisoner, now the wife of the prisoner Thomas Lovett. Witness recollects having been sent for to go to his brother's wake; it was the first intimation witness had of his death. Witness, when he was at the wake, saw some woman looking at the body, on the neck. Witness looked at the neck also, and he observed a black stroke under the neck. Witness slept with his brother three nights before his death. The deceased was not in bad health. He did not complain of being ill, when the witness and he slept together. They slept in the house of witness.

The Jury retired for a short time, and returned a verdict of Guilty.

**21. PRIVILEGES OF FREEMEN OF THE CITY.**—A curious question came on before the court of aldermen.

In the year 1782, sir Francis Drake, admiral of the Red, was, in consequence of a victory gained over the enemy in the West Indies, with other officers under lord Rodney, presented with the freedom of the City of London, by a vote of the court of common council,

and was in pursuance of that vote made a liveryman of the company of grocers, and sworn in a freeman. Sir Francis Drake took the several oaths which are required to be taken by all persons who are honoured with the freedom of the city—he was not free by birth, nor servitude, nor purchase, nor otherwise than as aforesaid. He married Pooley Onslow sometime afterwards, and settled upon her the sum of 15,000*l.* in the 3 per cent consolidated bank annuities, in lieu of dower. In the year 1789, he died intestate, and without issue, and the rev. George Walcot Onslow was constituted executor to the estate. His relict some time after married Mr. Sergeant Onslow. She had received under the statute of distribution the share of the property to which she was entitled as the widow, and for some years it was supposed that there was no further claim upon the part of the learned sergeant. It however occurred to him, that the privileges of a citizen of London, which he believed extended to his wife as the widow of a freeman, might be made available in obtaining an increased share in the property, and he accordingly claimed, in opposition to Mrs. Fuller, who was a near relative of sir Francis Drake.

The case came before the vice-chancellor, who, after having heard counsel, ordered that the lord mayor and aldermen should be applied to, to certify the custom of the city of London on these points:—

First, whether sir Francis Drake, having been presented with the freedom of the city under the above-mentioned circumstances, was a freeman of the city of London in the sense, meaning, and operation of the custom of the said city of London, relating to the distribu-



tion of the effects of freemen who die intestate, and in case the custom of the city of London, as to the distribution of personal estate, applies to such a freeman as sir Francis Drake was then.

Secondly, Whether there is any custom of the city of London, by virtue whereof the widow of a freeman, having the benefit and provision of such settlement as the settlement in the pleadings in this case, is debarred from the customary share of his personal estate.

Those questions were first proposed to the recorder of the city of London, but were submitted at his suggestion to the court of aldermen for their certificate.

Mr. Shadwell, as counsel for Mr. Sergeant Onslow, contended, that sir Francis Drake had been a freeman of the city of London in the most complete sense of the word, and had been entitled to all the privileges of one of that body. The conferring of the freedom of the city upon meritorious individuals, comprehended, of course, all the advantages to which persons who obtained the freedom in any other way were entitled, otherwise it would be a mere mockery to propose such a mode of conveying the sense the corporation entertained of the great efforts of the naval and military heroes of the country. Mr. Shadwell cited some authorities in support of his position. After which,

Mr. Spankie addressed the Court for the other claimant to the property. He argued, that the freedom of the city, conferred, as it had been, upon sir Francis Drake, was not burdened with the inconveniencies which necessarily attended those who became freemen under different circumstances; and that it never could have been meant

to impose upon a man, upon whom the freedom had been bestowed as a mark of honour, and testimony of great merit, the performance of duties incompatible with his situation. If an equal portion of the duties were expected to be taken by the first of the nobility of the land, to whom the freedom of the city had been voted, there would be but few who would consent to the honour. Besides, what condition was the liability of honorary freemen likely to place them in? The custom of the city of London took away from parents the right to leave their children under the guardianship of those whom they might approve, and placed them under the control of whom? why, of the chamberlain of London. That regulation might be a wise one, so far as related to the orphans of those who were freemen by purchase, servitude, or birth: but how must the duke of Wellington be surprised at being told that one of the rewards to which his military exertions entitled him was, that his daughters must, at his death, be placed under the care of the chamberlain of the city of London, and that all attempts to interfere with that regulation would be vain? But the chamberlain was to have a still greater authority over those who happened to meet with the approbation of the lord mayor and common council of the city, if the question were decided in favour of the argument of his learned friend. The duke of Wellington in that case must resign his authority, with regard to the marriage of his daughters, into the hands of the chamberlain, who, in the event of his grace's death, could exercise paternal authority over them, until the age of maturity recognised by the law.



Mr. Shadwell replied. He contended that a person could not become a member of a society without submitting to its obligations; some rules might be beneficial, and others not; but the freeman, if benefitted by some, must run his chance of the inconveniences attending the other regulations. What he understood by honorary freedom was, the possession of the privileges without being subject to the burdens, which might be incompatible with the situation of the person on whom the honour was conferred.

The Court, when the arguments were concluded, submitted the questions to the city law officers.

22. LIBEL. JURY COURT, EDINBURGH.—*Dr. J. Hamilton, Jun. v. Dr. Hope.*—The Court met on Monday, to try an action of damages at the instance of Dr. Hamilton, professor of Midwifery in the University of Edinburgh, against Dr. Hope, professor of Chemistry in the same University, for defamation. The damages were laid at 5,000*l*.

The substance of the first issue was, whether, in the month of April 1825, at a meeting of the Senatus of the University, in the presence and hearing of the professors, the defender did impute intended falsehood to the pursuer.

The substance of the second and third issues was, whether a memorial and petition, presented by the pursuer to the magistrates of Edinburgh, the patrons of the University, in January, 1824, craving that the graduates of the college of Edinburgh should be required to learn the treatment of the diseases of women and children, and that the professor of midwifery should be admitted a member of the medical faculty, and exercise

all the powers and privileges with regard to graduation, which other members of the faculty possess, contained the following words, or words to the following effect, viz.:—“While the memorialist (pursuer) can prove that the present professor of chemistry does not teach the processes of pharmacy, nor the making of chemical preparations for the apothecaries’ shops, he is ready to bear testimony, in common with the public at large, to the great value of Dr. Hope’s services as a professor in the college of Edinburgh, and to express his conviction that his admirable and scientific course must be of the highest interest to every physician. It is well known that this has never been attempted, and that the professor of the practice of physic for the last half century has confined himself to a description of the diseases most commonly met with, such as fever, general inflammatory affections, &c.; at any rate, the memorialist positively asserts, that, within his recollection, the professor of the practice of physic has not entered into any details respecting the diseases of women and children, and for the plain reason, that the other subjects of his lecture filled up all the time of his course. That he (the pursuer) was induced to make this improvement on the plan of his predecessors, because he found that neither the professor of the practice of physic, nor any of the other professors constituting the medical faculty, treated of such diseases. If the honourable patrons feel any difficulty in assenting to this latter proposition, they are referred to the bills of mortality of London. Thus, in the year 1820 (the last account to which the memorialist has had access), of 19,348 deaths



during that year, 8,350 were under ten years of age, and of that number 725 were still-born. Of the remainder, viz. 7,625, 3,577 are alleged to have died of convulsions and teething. Hence it must be evident, that nearly one-half of the children under ten years of age, who died in the year 1820, in London, were afflicted with diseases, on which no information is given to the medical students of Edinburgh, by those professors who style themselves the medical faculty. Be the reasons of the medical faculty what they may, the members of the faculty cannot deny that the diseases of women and children form a necessary part of the education of every medical man. It is, moreover, impossible for them to allege, that any one of their number does teach those subjects, and it would not be a little extraordinary, if, after their former attempt, they should pretend to be unwilling to burden the students with an additional expense. No man can now practise physic with safety to the public, without a knowledge of the diseases of women and children, and none of the members of the medical faculty, as at present constituted, do teach that knowledge." And whether the whole or any part of the above averments were known to the pursuer to be false at the time he presented the memorial to the magistrates.

Mr. H. Cockburn opened the case for the pursuer in a speech of great length, in which he strongly pointed out to the jury the deep injury likely to be sustained by his client from having been stigmatized by the defender at a meeting of the Senatus of the University of Edinburgh as an utterer of wilful falsehood, an assertion made in the absence of the pursuer; no expres-

sion of regret had been made by the defender for the imputation, who, on the contrary, now stood up before a jury of his country, and justified the expressions he had made, with the view of extinguishing the pursuer, and rendering him infamous for ever. In conclusion, he observed, that the question for the jury was not as to the amount of damages, but that by their verdict they should mark their disapprobation of the conduct of the defender.

A number of witnesses were then examined by the pursuer, among whom were professors Bell, Napier, sir W. Hamilton, bart., Coventry, and Russell, who successively proved that the expression imputed to the defender was uttered by him at the time and place set forth in the issues; the above-mentioned gentlemen also gave it as their opinion, that the facts stated in the pursuer's memorial to the patrons of the University, did not call for the epithets that had been applied to him. Mr. Wm. Wood, surgeon, who had examined the MSS. of the memorial, and marked some alterations, also expressed a similar opinion.

The Solicitor General opened the case for the defender. He stated that his client could not have been actuated by malice, but was repelling an injurious attack made on his character by the pursuer, in a memorial to the patrons of the University, of which he admitted having printed 200 copies, and that its circulation was not confined to the patrons and professors of the University.

Principal Baird, professor Dunbar, Dr. Alison, Dr. Fyfe, Dr. Anderson, rev. Dr. William Ritchie, Dr. Home, Dr. Mackintosh, Dr.



Cullen, and Mr. Dickson, were then called for the defender, whose evidence went to prove that Dr. Hope exhibited the different processes of chemical pharmacy in his class, according to the three different Pharmacopœias of Edinburgh, London, and Dublin, taking that of Edinburgh for his text-book, and that part of his course formed a most important branch of medical study. Several of the witnesses also proved that the late Dr. Gregory and Dr. Home treated of the most important of the diseases incidental to women and children, the negative of which had been asserted by the pursuer in his memorial; one of the witnesses (Dr. Mackintosh), who had attended Dr. Hamilton's class for three courses, and was not sure but he had attended a fourth course, said he had received more information from Dr. Gregory on the subject of those diseases than he had from Dr. Hamilton. Mr. Jeffrey replied for the pursuer.

The lord chief commissioner having summed up the evidence, the jury, after an hour's consultation, returned a verdict for the pursuer—Damages 500*l*.

23. WESTMINSTER ABBEY.—The return of the Dean and Chapter, to the order of the House of Commons, dated 16th of March, 1826, for an account of the sums charged for the admission of each visitor to view the public monuments in that Abbey, the total amount received from that source in each year, for the last five years, and how the same has been appropriated.

“The Dean and Chapter of Westminster are unable to make the precise return described in the order of your honourable House. The order requires an account of

the sums charged for admission to view the ‘Public Monuments’ in the Abbey. But no charge has ever been made for viewing the ‘Public Monuments,’ as distinguished from the private ones. The whole are viewed together for a fixed sum; and by far the greatest part of the monuments are those of private persons; for viewing which, the greatest part of the charge is incurred. The Dean and Chapter, however, having not the smallest wish that any part of the subject should be concealed, will furnish such information as they possess concerning it, though beyond the terms of the order of your honourable House.”

“1st. As to the sums charged for the admission of each visitor to view the monuments, private as well as public, for the last five years:

“Before his majesty's coronation, in 1821, the whole sum permitted to be charged, was 1*s*. 11*d*. But the guides had obtained additional gratuities from the visitors, and complaints were made against these exactions. When the church was re-opened, after his majesty's coronation, a new order was therefore made, and the utmost sum to be received was 2*s*. all compensation to the guides being included in this sum.

“This regulation, under which less was paid by the public than before, was continued till June, 1825, when the sum was lowered to 1*s*. 3*d*.

“2nd. The total amount received from the above source in each year, for the last five years:

	£.	s.	d.
1821 .....	648	11	11
1822 .....	2,317	9	3
1823 .....	1,664	13	9
1824 .....	1,529	0	5
1825 .....	1,585	1	0



“3rd. How the same has been appropriated :

“All the above sums have been received by the minor canons, and the gentlemen of the choir ; and divided among themselves, after portions allowed to the officers of the choir ; the Dean and Chapter neither interfering, nor knowing when the division was made.

“This grant was made to the choir in the year 1697, on the condition that, receiving the benefits from the exhibition of the monuments, they should keep the monuments always clean. This, however, had not been done ; and when the Dean and Chapter wished, after his majesty’s coronation, to give to the Abbey as much beauty as possible, they cleaned all the monuments at their own private expense, with the sole exception of the royal monuments, which were subsequently repaired and cleaned, without any agency of the Dean and Chapter, who only knew the amount of the charge for that work from the list of contingencies lately submitted to parliament.

“The Dean and Chapter have made the above statement, in order to meet the wishes of your honourable House. They will now beg leave to say a few words on behalf of themselves.

“They would humbly represent, that their church is entitled to its share of the general favour and protection given by law and usage to the church of England at large, and that it has its common rights, which it must always be anxious to preserve.

“It is their duty and their pride to represent further to your honourable House, that they have the honour to hold their church under a special charter, granted

by the benevolence of the crown. In this charter, queen Elizabeth has, of her free bounty, conferred the church on the Dean and Chapter for ever, and has subjected it to their sole and lawful management.

“And further, their founder has not only empowered, but required them to defend the privileges and immunities which she has thus bestowed upon them, against all aggression or encroachment.

“By order of the Dean and Chapter, GEORGE GILES VINCENT, Chapter-Clerk.”

24. MAUNDY THURSDAY.—At the King’s-chapel Royal, St. James’s Palace, about one hundred of the juvenile branches of the nobility and gentry were confirmed by the bishop of London, as dean of this chapel, assisted by the sub-dean, and the rev. Mr. Oakley, his lordship’s chaplain.

At his majesty’s chapel, Whitehall, the usual annual royal donations were distributed to as many poor men and women as the king is years old, viz. 64 of each.

A temporary building had been constructed at the back of Whitehall chapel for the occasion, which was divided into two compartments, the larger for the reception of the Maundy men and women. At the ends, seats were prepared for the accommodation of the visitors, who were admitted by tickets ; the smaller room was fitted up with shelves, as a store larder, on which were arranged the salt fish, loaves of bread, &c. to be distributed.

About eleven o’clock the Maundy people arrived, and were arranged by the attendants, the men at one table, and the women at the other.

*Morning Service.*—The Maundy people being seated, Mr. Hanby,



secretary to the lord high almoner, and Mr. James, groom of the almonry, attended by the Yeomen guards, with an usher, ordered the tables to be covered with damask cloths, and supplied every man and woman with a loaf weighing one pound and a half. The attendants then placed on both tables a number of wooden dishes, on which were pieces of fine beef, weighing three and three quarter pounds a-piece. At twelve o'clock, the sub-almoner, the rev. Dr. Goodenough, entered the room in his robes, attended by the secretary, and having inspected the tickets of admittance of the Maundy people, pronounced the following Grace before Meat :—

“Bless, O Lord, this Royal Maundy to the use of these thy servants, and dispose their hearts to the praise of thy Holy Name, with gratitude to their Royal benefactor, through Jesus Christ, our Lord. Amen.”

The Doctor then inspected the quality of the meat, and having seen that all were supplied with a piece of beef, said the Grace after Meat :—

“Grant, O Lord, in the hearts of these people grateful obedience to the Royal dispenser of these thy blessings, and cause them to look up to thee as the Supreme Author of every good, through Jesus Christ our Lord.”

The cloths were then removed, and a wooden platter, on which were four loaves, two salt salmon, two salt cod, eighteen salt herrings, and eighteen red ditto, was placed before each person, which the sub-almoner inspected. The distributors then produced several leather flagons filled with ale, and a quantity of wooden ale-cups, out of which the sub-almoner drank to

the health of King George 4th, which was also drank by the recipients, who shortly afterwards departed with their load of provisions. At two o'clock the recipients re-assembled in the interior of the chapel, to receive the remainder of the king's Maundy.

*Afternoon Service.*—At three o'clock the Yeoman usher, followed by eleven Yeomen in their state dresses, and one bearing a large gold dish, on which were one hundred and twenty-eight purses, each purse containing a sovereign, and small silver pennies, as many as the king is years old; Mr. House, the king's serjeant of the vestries; the sub-almoner, followed by two girls and two boys from the Westminster National School, selected for their good conduct; the secretary, and the groom of the almonry, &c. &c. formed in procession, all wearing white scarfs, and carrying nosegays.—Mr. Cooper played a solemn piece, on the procession entering the chapel.—The procession advanced up the aisle; the sub-almoner and two Yeomen took their station within the altar, the officers and children on seats in front of the organ, and others along the aisle, &c.—The appropriate church-service for the day was then read by the rev. Dr. Vivian, the rev. Messrs. Knapp, Barham, and Pack.—The gentlemen of the chapel royal were Messrs. Gore, Goulden, Molyneux, and the young gentlemen of the chapel royal.

29. *BALLOON ASCENT.*—Today, Mr. Green made his forty-eighth ascent from the bowling-green of the Eagle tavern, City-road. He was accompanied by his brother, Mr. George Green, who has already made three aerial voyages with success. Notwithstanding the frequent disappoint-



ments which occur in matters of this sort, an immense quantity of the holiday folks had collected round the house, and the area of the theatre of action was tolerably well filled with respectable company. At nine o'clock the process of inflation commenced, but owing to the coldness of the atmosphere, it proceeded slowly for the first two or three hours. When the sun shone forth at noon, the effect of its rays was speedily perceived in the rapid expansion of the machine, which was now full nearly to the zone. An increased pressure being applied to the gasometer, the gas rushed forcibly in, and at a quarter past three a sufficient quantity had been obtained to answer the purpose. In the early part of the day, a pilot balloon was sent up to ascertain the bearing of the wind, which was then about N.N.E. A short time after the car was affixed, a second pilot was despatched, when it was found that the wind had veered about one point eastward. At four o'clock, every requisite preparation being completed, a few minutes afterwards, the aeronauts took their seats, and Mr. Green, after returning thanks to his friends for the liberal patronage he had received, intimated that, in compliance with the wishes of several respectable families in the neighbourhood, he should have the honour of making another ascent on the following Thursday. The stay-lines being slipped, the balloon rose majestically from its moorings to the height of two or three hundred feet, when it bore away directly N.E. The atmosphere being uncommonly dense, it was soon lost to the eye, and the company dispersed highly gratified with the spectacle. The

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balloon was called "The Coronation," but was not the same in which Mr. G. ascended from the Green park on that memorable occasion. The gas was supplied from the establishment in Bricklane. The City-road and its vicinity were excessively crowded, and a feeling of satisfaction was general. Mr. Sadler, the veteran aeronaut, was on the ground, and seemed to regret that his usual pursuits were at an end.

**SHEEP-STEALING.**—Two hundred and eighty-eight persons have been convicted of this offence in England, in the years 1823, 1824, 1825; of whom only two were left for execution. The persons reprieved were sentenced to various punishments, extending from six weeks' imprisonment to transportation for life.

**PHENOMENON.**—This night, a beautiful phenomenon made its appearance in the heavens a little before eight o'clock, and continued visible for the space of fully two hours. Its form was that of a rainbow, but much broader, and its direction was almost due east and west. At the western extremity it dilated considerably, much in the form of a fan, and from thence to beyond the middle of its arch preserved a pretty regular breadth, when it gradually became more dense and brilliant, until it at last terminated in a sharp point, a few degrees above the eastern horizon. It inclined from the zenith a few degrees towards the south, and latterly so much so, as nearly to represent a bow half brought to a level. The outline continued, from the first, well and boldly defined, and the body extremely luminous and beautiful. Its density varied at short intervals, particularly in the western section, sometimes almost

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obscuring the stars, and again becoming so transparent as visibly to transmit their rays. In one part of the arch, several degrees above the western point, a slight bending from the direct line was visible, and, as it were, a splitting of the body into separate lines, so as in some measure to resemble a cataract; after which they again collapsed, and ran on united to nearly its termination. At half-past nine it began to assume a more transparent appearance, and gradually diminished in lustre, until it altogether vanished about ten o'clock.

30. WARWICK ASSIZES.—*Trial of Michael Ford for Murder.*—Mr. Justice Littledale having entered the court, Michael Ford was placed at the bar.

Mary Perry deposed as follows:—The deceased, Richard Perry, was my uncle, and kept a huckster's shop, in Mary-Ann-street, Birmingham. I had known the prisoner perfectly well by sight, for five weeks previous to the murder. He was in the habit of coming to the shop for goods, for which my uncle gave him credit from week to week. On the night of the 6th of December, soon after ten o'clock, being in the kitchen of my uncle's house, I overheard a conversation between him and some person in the shop, and, on going into a sitting-room between the kitchen and the shop, I looked through a window, and observed the prisoner talking with my uncle and aunt. I heard him say he would have a hough of pork, which he would pay for, that his bill might not be so large on the Saturday night. The prisoner was at this time standing about the middle of the counter, and my uncle on the opposite side, where he usually served his customers. The candles were

lighted, and the door of the shop was open. Having seen who was in the shop, I returned into the kitchen, and was immediately followed by my aunt, who went into the cellar for a bottle of beer; I then heard some chopping upon the block in the shop; the sound was like the chopping of meat, and having long been accustomed to that kind of noise, I took no notice of it. About two minutes after, I heard the money-drawer in the shop fall, and the money rolling on the floor. I instantly rose from my seat and was going towards the door of the shop, when I met the prisoner in the sitting-room with his arms uplifted, and a cleaver in his hands. He was making towards the kitchen when I advanced, and I told him that he had killed my uncle. I then wrenched the cleaver from him, and in endeavouring to pass by him, I pushed him down upon the floor, ran through the shop into the street, and gave an alarm, by crying out "Murder!" The prisoner immediately followed me, and made his escape before I could get any body to my assistance. As I ran through the shop I saw my uncle lying behind the counter, and blood issuing from his face. While I was screaming, my aunt came out of the cellar, and was in the shop when I returned into it. We then went to my uncle, and tried to lift him up, but could not, till some persons came to our assistance. On examining him we found that he had received some wounds on the head; we at length succeeded in removing him into the kitchen. My uncle had a black straw hat on while he was talking to the prisoner, which was given, together with the cleaver, to Mr. Adkins, the police-officer. [A



cleaver was here produced by Mr. Adkins, who stated that it was a sharp instrument, and that it had some blood on the edge when it first came into his possession. On its being shown to the witness, she was so much affected that she could not proceed in her testimony for some minutes.] This cleaver is the same I wrenched from the prisoner's hands. The drawer now produced is the same I found on the floor of the shop, and it is spotted with blood. My uncle's black hat, which is also produced, is now full of holes, and is my own make, and was delivered by me to Adkins. My uncle died on the 7th; he never spoke from the time he was found on the floor to the time of his death.

Hannah Perry, the widow of the deceased, deposed to nearly the same circumstances.

Francis Elkington, surgeon, was called to the deceased, and examined the wounds on his head. There was one in the forehead, six inches in extent, which had cut through the bone and severed the membranes of the brain, about an inch deep. The other wound, which was on the back part of the head, five inches and a half in extent, had penetrated into the substance of the brain, a part of which lay on the surface of the wound. Death was a necessary consequence of either of these wounds. The cleaver produced was a very likely instrument to cause such incisions.

Robert Boughey, a police-officer of Liverpool, in consequence of some hand-bills he received, went in search of the prisoner, and met him on Friday, the 9th of December, about eleven o'clock in the day, on the Pier head, in Liverpool, and afterwards apprehended him on board the City of London

steam-packet, which was bound for Ireland. On seeing him, he asked him to take his left hand out of his pocket; he did so, and witness then perceived the first joint of the third finger missing, and the little finger crooked; he observed also the hole in his cheek. On inquiring what his name was, he said John Hanbury. He took him to Bridewell, and read over the hand-bill to him, which charged him with the murder of Mr. Perry. Witness then asked if he had come from Birmingham, to which he replied, that he had never been there in his life.

The case being closed on the part of the prosecution, and the prisoner being called upon for his defence, he said he was innocent of the crime imputed to him, and that he "never had any thing to do with him."

The jury, after five minutes consultation, found the prisoner Guilty. Sentence of death was then passed upon him, and ordered to be carried into execution on Monday following.

31. ST. PETERSBURGH.—His majesty, the emperor of Russia, has addressed the following letter to the duke of Wellington.

"To our Field-Marshal General the Duke of Wellington.

"In order to testify to you my particular esteem for your great qualities, and for the distinguished services which you have rendered to all Europe, it will be highly agreeable to me if one regiment of my army bears your name. On this day the 19th (31st) of March, on which Paris was taken twelve years ago, and an ever memorable contest, in which the good cause, indebted to you for such splendid triumphs, was terminated, I have given orders that the Smolensko



regiment of infantry, formed by Peter the Great, and one of the most distinguished of my army, which was formerly under your command in France, shall henceforward be called the Duke of Wellington's Regiment, as I wish hereby to give you a proof of my constant and sincere regard."

(Signed) "NICHOLAS."

#### APRIL.

1. ACCIDENT. — The Dorking coach left the Elephant and Castle at nine o'clock, full inside and outside, and arrived safe at Ewell, when Joseph Walker, the driver and proprietor, alighted for the purpose of delivering a parcel from the back part of the coach, and gave the reins to a boy who sat on the box. While he was delivering the parcel to a person who stood near the after wheel of the coach, the boy cracked the whip, and the horses set off at full speed. Several attempts were made to stop them, but in vain; they passed Ewell church, and tore away about twelve yards of strong paling, when, the wheels mounting a small eminence, the coach was overturned, and the whole of the passengers were thrown from the roof. Some of them were in a state of insensibility, showing no symptoms of life. One female, who was thrown upon some spikes, which entered her breast and neck, was dreadfully mutilated, none of her features being distinguishable; she lingered until the following day, when she expired in the greatest agony.

3. STATE OF NEWGATE. — Prisoners under sentence of death, 14; transportation for life, 12; transportation for 14 years, 7; ditto for 7 years, 32; under sentence of imprisonment for various periods, for

felony and misdemeanors, 13; insane, 1; committed under the bankrupt laws, 2; committed by the court of King's-bench, 1; for trial for a misdemeanor in the court of King's-bench, 2: judgments respited, 2; remanded from last session, 3; for trial at the ensuing sessions, 366: total 453.

Of the above number there are 339 males and 116 females.

4. ATROCIOUS ASSAULT. — Samuel Gilbert was found guilty at the Taunton assizes, of robbing Charlotte Smith. The conduct of the prisoner towards the prosecutrix surpassed in atrocity that of almost any person who had ever appeared at the bar of justice. Having enticed her to walk with him to his aunt's, he on the road attempted to violate her. She resisted; he threw her down, stamped upon her, and tore her clothes into strips: he then took her in his arms, and carried her to the river, threatening to throw her in if she would not comply with his desires: she begged for mercy; he then dragged her into a lane, threw her over a gate, and cast her into a muddy ditch; still he could not accomplish his purpose, owing to her determined resistance. He afterwards pressed her head into the mud, and nearly suffocated her, and would probably have done so, if he had not heard the barking of a dog; she then, hoping to get rid of him, feebly said, "The lord be praised, here's my father!" when the prisoner tore off her pocket, forcibly pulled out her ear-rings, and ran away.

6. ENCOUNTER WITH A MAD DOG. — Mr. Lloyd, hatter, near the Adelphi, had a very fine Newfoundland dog, of enormous size, which he had reared from a whelp. So docile and kind was the



animal, that it was the constant play-fellow of Mr. Lloyd's seven young children, and his first visit, on quitting his kennel every morning, was to the apartment which the children occupied. On Monday morning Mr. Lloyd heard the dog making an unusual noise at the door of the yard where the kennel was, and which communicates directly with the house. Most providentially on this occasion, contrary to the usual custom, this door did not happen to be then open, so as to allow the dog to enter the house. On hearing this noise from the dog, Mr. Lloyd looked out at a back window, and saw the animal attempting to force the door, howling in the wildest manner, and his mouth covered with foam and slime. Mr. Lloyd suspecting that something must be wrong, procured a pail of water and dashed it over the animal, which now became ten times more furious, with the fire darting from his eyes, so that no doubt remained of its madness. Mr. Lloyd sent for a man who had wormed the dog when a whelp, to have his opinion as to his state. On the arrival of this man, he entered the yard where the furious animal was, in the most undaunted manner, with a broom-handle in one hand and a rope, with a noose to it, in the other. At this time a vast crowd of persons had collected at the different windows that overlook the yard; and a court which adjoins it, leading to the Strand, was choaked with spectators, who from that spot could see the whole proceeding. Mr. Lloyd endeavoured to persuade the man not to enter the yard, but proposed at once shooting the dog. Several neighbours made the same proposal, and a supply of blunderbusses, muskets,

&c. was procured. The dog-fancier, however, determined to have an interview first with the dog, who now, rather exhausted from the violent rage and exertions of more than an hour, laid himself down in his kennel. The man approached him, but the dog heeded him not; the man then very dexterously contrived to slip the noose of the rope over the animal's head, which was out of the kennel, while the fire flashed from his eyes. Still the animal did not attend to him, until the man dragged him by the rope out of the kennel. Now began a frightful contest, the dog sprang instantly at the man's throat; but the latter presented the broom-handle horizontally to him, which the animal seized, and tore with his teeth until he forced it from the man's grasp; still the man held the rope, and he now too laid hold of a chain which hung from the dog's neck with the other hand. The dog repeatedly flew at the man's throat, and when on his hind legs stood as high as the man himself, but the latter, by dexterously checking him to the left with one hand, and to the right with the other, each time he flew at him, turned him from the direction of his own throat. At length, however, the man became exhausted from the force and fury of the dog's attacks, and called out to the spectators for assistance. There was a general cry to shoot the infuriated animal, and in an instant some dozen gun barrels were directed to the spot. The man, no doubt, preferring to take his chance with even the dog to the chance of a discharge of musketry, roared out, for mercy not to fire, and then for the first time the armed gentry recollected that the shooting of the dog would be attended with the



like fate to the man. The dog had now nearly got the complete mastery of his opponent, when the latter called, "for God's sake, let some men come down, and knock the dog on the head." This was no sooner said than done; several men sprang into the yard, armed, with iron bars, sticks, &c. and in an instant the dog's head was beaten to pieces nearly in the arms of the man; and thus ended this frightful contest, without the man having received even a scratch.

8. SHERIFFS' COURT.—*Messrs. W. and R. F. Bell, of Iron Gate, Wharfingers and Warehouse-keepers, v. St. Katherine Dock Company.*—

*Amount of Claim.*

Claim for Compensation for Goodwill.....	£. 29,106
Claim for the Value of Claimants' Interest in unexpired term of Lease.....	7,000
Claim for Fixtures, Utensils, and Improvements.....	1,000
Claim for expense of the removal of the Merchandise now in the Warehouses of the Claimants.....	880

Total Demand.....£37,986

The Attorney General opened the case on the part of the claimants. Messrs. Bell, it appeared from his statement, were wharfingers and warehousekeepers, carrying on extensive business at Iron Gate wharf and Tower-hill; they occupied warehouses of great size, and had a very considerable share of the Baltic business, their warehouses being occupied principally with hemp, flax, tallow, ashes, and iron; the whole of which business, he was instructed to state, would be annihilated by the construction of the St. Katharine docks.

Evidence was examined at great length in support of several of the items of claim.

The case of Messrs. Bell having been closed, Mr. Adam addressed the jury on the part of the Dock Company, who had unsuccessfully used every possible effort to negotiate with Messrs. Bell; and had proposed a reference to arbitrators, which had been declined. Messrs. Bell had also refused to furnish any particulars, or even explanation, of their demands; they resisted the inspection of their books and accounts, and had declined a proposal on the part of the Dock Company, to appoint accountants on both sides, upon oath, by whose examination of those books and accounts, the Company were content to abide. Messrs. Bell having thus refused every overture at amicable arrangement, the Dock Company were reluctantly compelled to meet them before a jury; and, in the absence of every information, were prevented from making any offer. Under these circumstances, a nominal tender of five shillings had been resorted to, so as to bring the question fairly to issue. Mr. Adam proceeded to state that this was the only case which the Dock Company had not hitherto been able to adjust without having recourse to a jury. Purchases exceeding 200,000*l.* had already been made by them in furtherance of the purposes of the act.

The Under Sheriff summed up, and, after the Jury had retired for a considerable time, they returned a verdict of 280*l.* as the value of the claimants' interest in the lease, and 8,720*l.* for the good-will, fixtures, utensils, improvements, and expense of removal of the merchandise from the warehouses—in all, 9,000*l.*; the fixtures and utensils to be the property of the Dock Company. This cause occupied the Court from ten o'clock in the



morning until six o'clock in the evening.

9. DANGEROUS FIRE.—This morning, between one and two o'clock, the inhabitants of St. Mary Axe were alarmed by cries of "Fire," which had suddenly broken out in the house No. 21, occupied by a respectable widow lady, named Gonne. It was first discovered by the watchman, and appeared to have commenced on the second floor. The lives of four young men, who slept in the attics, were exposed to imminent risk. Some of the watchmen rushed up through clouds of smoke, in order to arouse them; but on gaining the second landing, it was ascertained that the staircase leading to their apartments had fallen in, and considerable apprehensions were entertained for their safety. They were at length aroused by the shouting of the people in the streets, and they soon after attempted to effect their retreat downwards, but the attempt was hopeless, for the stairs were now wholly consumed, and the flames were rapidly closing around them. In this dilemma, they bethought them of getting out on the roof, and after some exertions they forced the attic window, which was fastened, and escaped to the leads, but not without having been seriously burned on the hands and arms. The upper part of the house, however, was totally consumed, and the rear of the next partially injured.

10. SIX PILOTS DROWNED.—(*From the Liverpool Courier*).—On Monday last, in the forenoon, the twelve men belonging to No. 8, pilot-boat, crossed, by land, from Seacomb to Hoylake. Upon their arrival, they found a heavy surf upon the beach, which baffled several efforts which they made to

launch their punt, for the purpose of going on board the boat, then lying in the lake. Soon after one o'clock, anxious to get on board to do their duty, they forced their way through the surf, and, notwithstanding the swell, succeeded in reaching the side of the boat. J. Hughes had the command of the tiller, and being aware of the critical state in which they would be placed in nearing the boat, advised his companions to sit still and be steady; this caution was also repeated by capt. Parry, the second master, who was then on board the pilot-boat. Upon the approach of the punt, a slight collision against the side of the pilot-boat took place, which was not to be avoided; the punt heeled, and several of the men rising, lost their equipoise, and, the punt turning keel upwards, the whole crew were dashed under water. At this trying and perilous moment, the commander of the pilot-boat, and four men, who were then on board, with admirable presence of mind, threw the scuttle, rough trees, oars, and other things, overboard, to enable the poor fellows to keep above water; in addition to this, they also succeeded in righting the punt, and saving one man who had seized the scuttle; two others, one of whom had clung to the cable, were saved from the deck of the pilot-boat, by means of ropes. The unfortunate situation of the boat's crew had also been observed from the shore, and the Custom-house boat pushed off with the greatest promptness to the relief of the sufferers. By this means three more of the crew were, happily, picked up, after they had been struggling for near half an hour, partially supporting themselves by the oars, &c., which they got hold of; and, during that



period, they bid each other "good bye," judging that their final hour was come. Five of the six men, thus providentially snatched from a premature grave, were immediately taken on shore, and experienced the most marked and humane attention from Mr. Evans, at his hotel. The other was taken to a neighbouring public-house. The bodies of the six unfortunate sufferers have not yet been found, although every exertion has been made to find them. Their names are, William Jones, Thomas Jones. Owen Thomas, Henry Priestnell, Thomas Bennett, and Angus Clarke, four of them journeymen, and two apprentices, all strong, active, and efficient young men.

If there be any cause for blame in this melancholy affair, it will, we believe, be found in the ardent zeal manifested by the entire boat's crew to get on board as early as possible, and to accomplish at one trip that which they ought to have done at two, and thus crowding a small boat with a greater number of men than she ought, in such weather, to have had on board.

11. ROYALTY THEATRE BURNED.—Monday night, after the play of Richard the Third, a new Melodrame, called Kenrick the Accursed, was produced for the first time; in the last scene of the second act of which was a representation of Mount Etna, in a state of eruption; and, in order better to represent the burning fluid from the crater, a quantity of composition was employed to represent the red fire. In this performance only about half a pound of the powder was used, which in itself is perfectly harmless.

About one, or a little after, the whole of the performers had left the theatre. Evans, a man employed in the gas-works of the theatre,

which are contiguous to the stage, was at work at the furnace, making sufficient gas for the use of the house for Tuesday night; when, on looking to the stage, he discovered one or two of the set pieces to be on fire. He immediately aroused an old man, named Barney, and his family, who have resided many years in the theatre, and they, with the utmost difficulty, effected their escape into the street.

The flames soon burst through the stage-door; and such was their fury, that they reached completely across Well-street. It being impossible for the fire-men to stand facing the burning building; they took their stations at either end of the Theatre, and threw the water upon the flames as well as the situation would allow.

The utmost fears prevailed for the safety of the whole neighbourhood, as, at the rear of the Theatre, were the spacious sugar-houses of Messrs. Croucher and Bishop, and Messrs. Clinker, and if they had caught fire, the whole of Dock-street, which is inhabited by poor families, must have fallen a sacrifice. At three o'clock the roof of the theatre fell in. This circumstance somewhat damped or smothered the flames, and the firemen were enabled to approach the front of the building, and play upon the ruins with more effect. About half past four o'clock, the conflagration was so far subdued, that there was no danger of further mischief.

The cause of the fire is believed to be owing to the gas used on the stage as side lights not having been properly turned off at the close of the performance, and having communicated to the set pieces of scenes near them.

The loss is estimated at about 18,000*l*.



12. THE NEW COMET.—*Augsburgh*.—The new comet passed, since the 1st. instant, from star *d* of the Bull, from the right fore-foot, into the constellation of Orion, where it passed between the star *n* and *o*; and on the 8th was near the star *h* in the Lion's skin, which Orion wears in the left arm. On the 8th of April, at 8 h. 40 min. 25 sec. 5. mean time in the evening, its north inclination was 10 deg. 11 min. 35 sec. Notwithstanding the goodness of the telescope, the comet appeared very faint, and its nucleus was hardly visible. Its course is now towards the head of Orion.

The spot in the sun, which entered the disc on the 28th of March, passed out of it on the 10th of April, in the afternoon. It increased in magnitude to such a degree, that on the 4th instant it was above thrice the size of our earth. On the 8th, at a quarter past three in the afternoon, Reaumur's thermometer was at 31 deg. 2 min. in the sun, and 16 deg. 3 min. in the shade, when Saussure's hygrometer indicated a dryness of only 1 deg. On the 10th, fine weather changed, and the nights were gloomy. Yesterday only one small spot in the sun was seen, which had just entered the disc.

FANATICISM.—Yesterday evening an inquisition was taken at the London hospital, on the body of Joseph Dunkins, an aged man, who put an end to his existence while labouring under the influence of strong fanatical feelings.

The evidence given on the occasion was as follows:—

Eliza Harris examined.—I am a servant at the Swan public-house, Swan-yard, Shoreditch; the

deceased came to lodge at my master's on Tuesday, and towards morning became very restless. About twelve o'clock on Wednesday morning, I went up stairs, to put the room in order, and to make the beds; when he unfastened the door, by removing a chain from it. On my going into his apartment, he held up his throat, in which there was a wound, and desired me to look at it; I did so; and he then told me "that the devil had been with him all night, and had cut it;" there was, at the same time, some broken glass in his hand. He afterwards came down stairs; before he did so, he pushed the bed from the fire-place; I saw a piece of handkerchief. My master asked him what he had been doing to me; but he made no answer: he afterwards, however, told him that the devil had cut his throat. He had a nail in his hand when he came down; and in his bed-room I saw a pair of snuffers, covered with blood. He was removed into the tap-room, and a doctor was sent for; after which he was sent to the hospital. I never heard him say any more than what I have mentioned. He slept by himself, and I have no doubt that he committed the fatal act himself, and that he was insane at the time. The deceased was advanced in years, and was, I believe, a dog-fancier.

Joseph Ensom examined.—I am proprietor of the Swan; the deceased was a stranger to me, but was, I understood, a weaver out of employment. The servant called me as he was coming down stairs; I saw some blood and glass in his room. I asked him what he had been about; and he said that the devil had been busy with him.



A verdict was recorded, "That the deceased committed suicide while in a state of derangement."

14. LUNATICS.—Official statement of the number of Lunatics, distinguishing males and females, which have been returned to the commissioners for licensing mad-houses, and entered into the registers, from 1815 to 1824, both inclusive: — Males, 4,461 — females, 3,443.

15. PLUNDERING SHIPWRECKS.—During a heavy gale the French ship *Ocean*, from *Campeachy* to *Havre de Grace*, parted from her anchors and drove on shore at *Hayle Bar*. The pilots and seamen of *St. Ives*, at the imminent hazard of their lives, rescued the crew, and got on shore a considerable part of her cargo. On the first intimation of the disaster, a number of persons from the adjacent villages crowded down with the view of plundering the stores: the greater part of these miscreants were women, who carried off whatever they could lay their hands on, and were very dexterous in concealing bottles of wine and other things, so as to elude a search. Some of the men knocked in the heads of three or four casks of wine, into which they dipped their hats, and drank what they took up in them. As the day advanced, the plunderers, male and female, became intoxicated, and a variety of contests, some of them of the most ludicrous description, took place. Every exertion was made by the respectable inhabitants to check this disgraceful scene of rapine, but the pressure of the multitude and the want of a military guard, rendered their efforts, in a great degree, unavailing. One fellow, who was making

off with some of the plunder, persevered in his endeavours to escape, until a pistol was fired by those who pursued him, when he dropped his prey.

17. MURDER AND SUICIDE.—An inquest was held, before Mr. *Stirling*, the coroner, on the bodies of Mr. *William Cooper*, a respectable brush-maker, in *High-street*, *Mary-le-bone*, and of *James Pollard*, who met their deaths in the manner described in the following evidence:—

*William Chapman*, No. 57, *High-street*, surgeon, was called, about a quarter before eight o'clock, on Friday night, to attend the deceased, *William Cooper*. Witness went directly and found the deceased lying on the floor, quite dead; his clothes were covered with blood, but no wound was visible; witness cut his clothes down in front, and there discovered a wound on his left breast; it was an incised wound, of little more than an inch in length; it passed obliquely for a short distance under the skin, and then through the cartilaginous terminations of the ribs, and he had reason to imagine, from the instantaneous death that followed, that it had reached the heart.

*George Jepp*.—I am porter to Mr. *Elsemore*, and was in the kitchen of Mr. *Elsemore's* house, when Mrs. *E.* called me up to see what was the matter at Mr. *Cooper's* house. The first thing I saw was Mr. *Cooper* lying outside his own shop-door, partly in his own shop and partly in his area rails. I hastened into the shop, and saw a man, who, they said, had committed the deed; and who, I was informed, was *James Pollard*. I went up to him and took hold of



the back of his neck by the left hand, and by his arm with my right hand; I brought him out, and the watchmen wanted to take him into their custody. He then had not the knife in his hand. I said, "You are the man?" He replied, "I am;" and he added, "I am the man; but I shall be a dead man shortly;" or, "I am a dead man." Mr. Cooper was wounded, and the blood was flowing from him as he lay on the ground. I did not observe any wound on the person of Pollard until he came into Grotto-passage; and, on ascending the first step leading to this office, he fell on the stone step, and would have fallen to the ground, if I had not held him. Then I discovered he was wounded, and he was immediately taken to the Infirmary. He said nothing more to me, than that he was a dead man, or that he should soon be a dead man. I saw neither Mrs. Cooper, nor Mrs. Cooper's sister. He was in the dark part of the shop when I went in. He had not a knife in his hand when I laid hold of him.

Mary Jones, the mother of Mrs. Cooper.—Mr. Cooper's sister came to see him on account of his being unwell; Pollard came to see after her. I told him she was not there, and he would hardly believe it. He said he would return at seven o'clock. At that hour he came, but Mr. Cooper said he should not come into his house, and Mr. Cooper's sister went into the passage to speak to him.—What passed between them I do not know, but the sister returned into the parlour, followed by Pollard, who then stabbed Mr. Cooper. Seeing me, he said, "I shan't hurt you," and he then stabbed himself in the side once or twice, and

said, "Will no one take this rascal?" The deceased (Mr. Cooper) turned round and said, "Lord have mercy on me." He staggered to the shop-door, and there he fell; his nose was much cut by falling on the stone steps or railing. I did not hear the conversation at the shop-door, but a little girl who overheard them, said they were quarrelling. Mr. Cooper's sister must have been in the passage when the wound was inflicted. Mrs. Cooper was in the parlour, and was stabbed in the shoulder and in the breast. I saw Pollard with the knife in his hand, which was bloody up to the hilt. Mrs. Cooper hastened to the door to her husband, when she fell down exhausted.

William Thomas Cooper, the deceased's son, was then examined.—He said, I was sitting beside the fire, in the parlour, in the company of my father and mother, who were talking together, when Pollard, who is acquainted with my aunt, came to my father's house on Friday evening, about half-past seven o'clock. Pollard came through the shop to the parlour-door, and said he wanted to see my aunt. My father said he should not come into the shop; my aunt got up, and went into the passage, and spoke to Pollard. After some time I heard the street door shut, and Pollard come to the parlour door. My father got up, and told Pollard that he wanted to go out and bring some of his things from his door, where they were exhibited for sale. Pollard said he should not go out unless he allowed him to come in. My father said he should not come in, and Pollard then stabbed him in the side with a large knife. Pollard then ran at me with the knife,



with an intention to stab me also ; but I took up the poker, and knocked the knife out of his hand. I think I also knocked his hat off, for I saw it lying on the ground. I then ran past Pollard, and although he placed his foot against the door to prevent me from going out, I squeezed past him, got into the street, and went over to Mr. Chadwick, and requested him to come to my father's assistance. When I returned to the house, I found my father lying at the door dead. I did not hear any more words pass between Pollard and my father, further than my father saying he should not come into the house, and Pollard saying he should not go out unless he allowed him to come in. I am now between 13 and 14 years of age. I did not see Pollard strike my mother or my aunt, although I have heard they were wounded.

The jury consulted together, and the foreman said, "Our verdict is, that James Pollard did go with a malignant intention to murder William Cooper." A verdict of *Wilful Murder* against James Pollard was then recorded.

On the following day, the coroner, and the same gentlemen who sat on the body of Mr. Cooper, assembled to inquire into the state of mind James Pollard was in at the time he committed the deed, and the violent act upon himself.

Mr. Goodyer, apothecary to the infirmary of the parish of St. Mary-le-bone, attended Pollard when brought in. He examined the two wounds in his left side, and dressed them, and had two men to sit up with him during the night ; he saw him afterwards several times, when he appeared to be very materially worse, and he died about a quarter before three next

morning (Saturday) ; he lived eight hours. Witness, when he first saw him, considered that all the surgical aid in the world would be of no avail.

Several witnesses having been examined, the brother-in-law of Mr. Cooper requested that Mrs. Bicknell his sister might be examined, in order that the purport of the conversation between her and Pollard in the passage might be known. The coroner and jury proceeded to the infirmary for that purpose.

She deposed, that she knew the deceased, James Pollard. On Friday she had written him a note, telling him that she would not live with him again, and requested him to send home her clothes. In the evening he came, and she went into the passage to him. He asked her, why she had left him ? She said, she would leave him ; upon which he said, putting his hand to his heart, "If you do, you'll repent it." She, fearing he meant to injure himself, said, she would return and live with him ; and she left him for the purpose of going into the parlour to put on her bonnet and shawl : he followed her, and stabbed her in the left arm ; when she raised her arm, and he inflicted two other wounds. She then ran out, and what followed she knew not.

The jury returned a verdict of *Felo-de-se* on Pollard.

18. CASE OF SALVAGE.—In this cause, lord Stowell was assisted by two of the Trinity Masters, there being two questions that more particularly required to be decided by the nautical experience and judgment of those gentlemen ; first, as to the degree of danger and difficulty incurred by



the salvors; secondly, as to the necessity of the interference of one of the boats by which the salvage was stated to have been effected; and, consequently, as to the validity of the claim set up by that boat's crew.

Dr. Dodson stated, on behalf of the salvors, that, on the 19th of September last, an action was entered against this ship, cargo, and freight, in a cause of salvage, on behalf of three masters of as many pilot boats. The value of the cargo and freight was 5,300*l.*; and the facts of the case were briefly these: On the night of the 14th of September, the *Wilhelmine Auguste*, bound from the port of Stettin to London, and laden with a cargo of timber, pipe staves, and 72 tons of zinc, off the coast of Suffolk, and not far from Orford Lights, took the ground in very hazy weather. Early on the morning of the 15th the weather cleared, and the pilot discovered that they were on the edge of a large sand called the *Nathaniel Lowe*, on which the vessel had struck so violently as to sustain very considerable damage; at this juncture two pilot boats came up and tendered their assistance, which was accepted; the crew of the *Wilhelmine*, at that time, being in the act of putting up their linen, &c., in their pillow-cases, with the view, if possible, of effecting their escape with it to shore. The tide having risen, however, the vessel (which was a foreigner of about 250 tons burthen) floated off into deep water, and, by reason of the injury she had sustained, was considered to be in a perilous condition. The crew of a third boat which had bore down upon her, insisted on taking part in the exertions made by the other salvors, and were re-

ceived by the captain in the same manner as their colleagues had been. It was now stated, however, in the evidence, that the captain had desired them to be gone, and had no occasion for them; yet the order to retain and employ them, given by the captain himself, had been distinctly spoken to by one of his own crew, who was at the wheel at the time. The vessel was finally brought in safety, into the harbour of Harwich. The learned counsel concluded by reminding the Court that this had been a service of considerable danger and great importance, and that, in his judgment, all three boats were entitled to a quantum of salvage such as his lordship might deem fitting in amount.

Lord Stowell said, that the *Trinity Masters*, by whom he was assisted, concurred with him in thinking, that, though the salvage rendered was a valuable service, yet, owing to the state of the weather, and other considerations, it was one not attended with any especial degree of danger. The gentlemen in question considered that there was no necessity for the assistance of the third boat; and, as the crew seemed to have been certainly desired by the master of the *Wilhelmine Auguste* to return, the court disallowed their claim entirely. To the crews of the two other boats, his lordship decreed the sum of 150*l.* as salvage allowance.

18. NOVEL AEROSTATION. — Mr. Green having proposed to ascend from the bowling-green of the *Golden Eagle*, Mile End, arrangements were made for a supply of gas for the balloon from the works of the British Gas company's establishment in Ratcliffe



Highway. Conductors were laid down early on Monday morning, and at eleven o'clock the machine was two-thirds inflated. — Mr. Green's object for partially filling the balloon on the day previous to his proposed ascent was two-fold:—to prevent the chance of disappointment, and to afford persons an opportunity of taking a short aerial excursion. This permission was no sooner made known, than several persons, amongst whom were some ladies of respectability, availed themselves of the offer, and ropes having been affixed to the car, the balloon made a number of ascents to a given altitude, with two, and sometimes three, voyagers. The aërostatic mania became contagious, and the utmost impatience was manifested by those below who stood next on the list of candidates for this *exaltation*, but sufficient time was allowed in every instance, for a full indulgence of the curiosity of the aëronauts. During the greater part of Monday, these excursions were confined to a height of 150 or 200 feet, owing to the roughness of the wind; but, on Tuesday morning, the weather being more propitious, many ladies and gentlemen ascended to the height of 500 feet.

22. FUNERAL SERVICE FOR THE LATE KING OF PORTUGAL.—A solemn high mass and requiem were performed for the late king of Portugal, at the chapel of the Portuguese Embassy, South-street. The interior of the chapel was hung with black, and decorated with escutcheons, bearing the royal arms of Portugal. In the centre of the building was placed the bier, surmounted by a canopy, over which were displayed a crown and cushion. The pall of black velvet bore the

like *insignia*, veiled with crape, and on either side appeared the following inscription:—

JOHANNES VI. BRAZILLIÆ  
IMPERATOR PORTUGALLIÆ ET  
ALGARVIORUM REX.

Plumes of black feathers and lighted wax tapers completed the decorations of the bier, which was attended by mutes, bearing wands of ebony, tipped with silver.

The side galleries were filled with ladies, the greater part of them in mourning dresses. The centre gallery was appropriated to the performers, vocal and instrumental; and in the space on the right, opposite the tribune, were seated most of the foreign ambassadors, *en suite*, and the distinguished visitors invited by the Portuguese ambassador.

Soon after eleven o'clock the ceremony was commenced by the rev. Dr. Fryer, who, assisted by Messrs. Morris and Jacquin, read the "service for the dead." The musical part of the performance was exquisitely given by the very excellent choir usually attached to the chapel, aided by Marinoni, Begrez, Giubilei, and Pearman. Mr. Guichard presided at the organ, and Spagnoletti led on the violin.

To the performance of Jomelli's "Kyrie Eleison" succeeded Mozart's grand Requiem, and seldom has that sublime composition been heard to greater advantage. The Offertorium (the music by Cherubini) was also delightfully executed, as were the "Sanctus Benedictus" from Mozart, and Jomelli's "Agne Dei."

The chapel was crowded long before the commencement, and continued so till the conclusion of the service. Among the many noble and distinguished individuals



present were Mr. Canning, prince Polignac, baron Citto, count D'Algie, prince Paul Esterhazy, count Villa Real, marquis Palmella, Mr. Rush, sir John Doyle, marchioness of Palmella, lady Hampden, the dowager marchioness Londonderry, Mrs. Canning, countess de Front, &c.

24. DISTURBANCES IN LANCASHIRE.—On Monday forenoon, a large assembly of weavers took place on a hill at Henfield, a place where the four roads leading to Blackburn, Burnley, Whalley, and Haslingden meet. After remaining some time in discussion, they left the ground, and a very large body of them proceeded to Accrington, where some indications of riot occurred a week before, and where considerable alarm had been excited in the morning by about an hundred armed men passing through the village on their way to Henfield. Amongst the mob there assembled, no fewer, it is asserted, than 500 were armed with knives and pieces of iron ground sharp fastened to the end of sticks; some carried scythes; others had large sledge-hammers; and a few had pistols and guns. The messenger, who had been despatched to Blackburn for military aid, had not returned, when, about 12 o'clock, the mob proceeded to Messrs. Sykes's new mill, which they immediately broke open. In the course of 15 or 20 minutes they completely demolished the power-looms, 60 in number, with the whole apparatus, and the warps and cloths in the looms; besides doing much injury to the throstles and the steam-engine. The shops of the provision dealers were almost cleared of their contents. They next proceeded to a place called Wood Nook, where there were

about 20 looms; these likewise they destroyed. They then went to Mr. B. Walmsley's, at Rough Hey, where also they broke 20 looms, and did considerable other damage; they did not however do any wilful injury to the spinning part of the machinery. From Rough Hey they proceeded to Mr. J. Bury's, at White Ash, where they destroyed 60 or 80 looms. Such was the rapidity of their operations, that it was not until they had gone to this place that the first account of the rioters having actually proceeded to violence, reached Blackburn. A party of the Queen's Bays immediately set out for White Ash, but the work of destruction had been completed before their arrival. A second demand for military aid had been sent from Accrington. At length 18 of the dragoons were despatched, and on their way to Accrington they met and passed through a large body of five or six thousand of the rioters, who were then proceeding to Blackburn, after having broken all the looms at White Ash. When this body reached Blackburn, a large number entered the Bay Horse Inn, a market house, demanding bread and beer. The landlady, with some difficulty, got her doors closed, and having distributed a considerable quantity of liquor, and all the bread she had in the house, amongst those who had come in, they rejoined their companions in the street, and proceeded onwards without doing any further injury. The next place which the mob visited, was the extensive power-loom factory of Messrs. Bannister, Eccles, and Co. in Darwin-street Blackburn, where they arrived shortly after three o'clock. A party of dragoons arrived there as soon as the rioters; but could not prevent them from



entering the factory. It was there, however, that the soldiers and the mob first came into collision. The former were violently stoned by the latter, who were themselves screened from attack, and one soldier was considerably hurt. Some fire-arms also were discharged by the mob. In consequence of this the riot act was read about half-past three o'clock. The whole of Mr. Eccles's power-looms and dressing machines were reduced to a wreck; the warps and cloth on the beams were also destroyed, but no injury was done to the spinning machinery. During the time the rioters were in Mr. Eccles's mill, the military had so ranged themselves about the entrance, and on three sides of the building, that the escape of the former was rendered a matter of difficulty. Finding they could not effect their retreat by the door, many of them actually jumped out of a window two stories high, and escaped by crossing a stream on a side where no soldiers were posted. From Messrs. Eccles and Co.'s, the rioters proceeded to the mill belonging to Messrs. Fielden, Throp and Townly, in King-street, which was erected for power-looms, but as none had yet been set up, they departed without committing any violence. A party, however, proceeded to Mr. Houghton's, at Grimshaw-park (whither, also, some of the dragoons were detached), where there were about 25 looms. Notwithstanding the presence of the soldiers, they effected an entrance into the building, entirely destroyed the looms, and threw the twist, the warps, and the beams on which they were wound, into the canal. At this place, the soldiers being severely pelted with stones, and in some instances fired

on; several of them, in return, discharged their fire-arms. One rioter in the building was shot dead; and another man was shot through the ear, the ball coming out at his mouth, and another was desperately wounded in the back. Altogether, two or three lives were lost, and four or five of the rioters were seriously or dangerously wounded.

The devastation at Mr. Houghton's terminated the lawless proceedings of the rioters on Monday; not, however, until not a single power-loom was left standing in Blackburn, or within six miles of it. A very large number of people, not fewer than 10,000, kept parading the streets of Blackburn in the evening, and displayed so much excitation, that it was deemed necessary to read the riot act twice. About eight o'clock the dragoons were ordered to clear the streets, which they did by striking with the flat edges of their swords, but, in no instance, inflicting personal injury.

On Wednesday morning, the rioters, having assembled in considerable numbers at Rawtenstall, attacked the mill of Messrs. Thomas Whitehead and Brothers, of that place. The mill contained about 100 looms, the whole of which were utterly destroyed. They then proceeded to the factory of Mr. Thomas Kay, at Long Holme, and destroyed the whole of his power-looms (about 40); and afterwards proceeded to the attack of the newly-erected mill of Messrs. Laurance and John Rostron, at Dearden Clough, near Edenfield, and destroyed all the power-looms it contained, being 216. They then directed their course towards Chadderton, and proceeded in a body to the mill of Mr. Aiken,



containing about ninety looms, which they were in the act of destroying when the military came up. On their approach, the insurgents retired, and made some show of being about to disperse. This, however, was merely a feint, for no sooner had the soldiers abandoned their post, than the rioters unexpectedly returned, and before the military could again come to the rescue of the property, the work of destruction had been nearly completed. When the military approached, that part of the mob who remained outside began to pelt the soldiers with stones, an ample supply of which they readily obtained from a heap of about two cart-loads, which had been laid down near the mill for the purposes of paving. A number of soldiers were seriously hurt, and major Eckersley received a heavy blow upon the body. As the rioters now resolutely kept their ground, without any appearance of an intention to disperse, and poured upon the soldiers an incessant shower of missiles, the latter were at length reluctantly compelled to fire upon them. Even this last resource failed for a time to produce the desired effect. They received the first discharge of musketry without flinching in the least, and it was not until an indiscriminating fire had been kept up for above ten minutes, that they were driven from their post. During the affray, the men within the mill continued the work of demolition, which, having completed, they escaped through the windows on the further side of the building, and fled to the neighbouring hills. On this occasion, nine persons met their death. A considerable number were likewise wounded, with

various degrees of severity, and fifteen prisoners were taken.

Notwithstanding the discomfiture of this body of rioters, the work of destruction was by no means terminated. About half-past two on the same day, a mob of persons came over Holcome-hill, in the direction of Durween. They entered almost every respectable dwelling-house in their way, and seized whatever they could find in the shape of provisions. They proceeded to Summerseat, near Bury, and destroyed 36 looms in the factory of Messrs. R. Hamer and Sons, without meeting with any attempt at resistance. They next directed their course to the mill at Woodhill, belonging to Mr. James Hutchinson. The gates of this factory were barricaded, but the rioters forced them open; and, entering by the windows, commenced operations. They had not been engaged, however, above five or six minutes, when the military made their appearance; and the insurgents hastened to escape through the windows at the back of the building, and fled across the fields. They were pursued by the soldiers, and ten were taken prisoners. Two of the mob were armed with guns, one of which was left behind, and, upon examination, it was found to contain three marbles, besides being heavily charged with powder. Mr. Hutchinson's factory contained about 400 looms, 50 of which were destroyed; and cloth and yarn, in the act of being woven, were cut from ten other looms, and rendered useless.

Only three establishments using power looms escaped the fury of the mob; and a competent military force was stationed in each of them in case of any attempt at further



outrage. There is no doubt but the check experienced by the rioters at Mr. Aiken's mill proved the safety of that of Messrs. Ashton, which is in the immediate vicinity.

On the Thursday following these lawless proceedings, similar excesses commenced in Manchester. On the evening of that day, a mob of between 6,000 and 7,000 persons having assembled in St. George's-fields, were addressed by speakers, who exhorted them to destroy the steam-looms, and urged, as a strong motive to instant action, the absence of any military force sufficient to restrain them. Part of this multitude departed quietly, under the influence of more moderate or more prudent orators; but the remainder went on with the execution of the design recommended by their leaders, and by the example of the rioters at Blackburn. They first proceeded to the power-loom factory at Ancoats, belonging to Messrs. Clarke and Harbottle; but, as these gentlemen had taken the precaution of garrisoning their factory with armed men, the mob effected no other mischief than breaking the windows. They next attacked the power-loom manufactory of Mr. Beaver in Jersey-street. Having wrested the iron stancheons from the windows in the lower part of the building, some of their number entered, and set fire to the premises in six different places. They then forced their way into the store room, in a building detached from the factory itself; and, having set it on fire, about 2,000 pieces of manufactured calico were consumed.

In the mean time, a detachment of the mob had marched to the attack of Mr. Motterhead's factory, in Miller-street; and having broken

the windows, proceeded onwards to that of Clegg, Norris, and Co., but as these gentlemen had stationed armed men within their premises, who now announced their presence by firing their muskets and pistols, the rioters retreated, after discharging a volley of missiles. They had just decamped, when Laverder, the head officer of police, arrived on the spot, accompanied by a strong body of regular and special constables. As there was here no longer any crowd or disturbance, the police proceeded to the premises of Mr. Beaver, in Jersey-street, which, as has been stated above, were already in flames. But, unable to penetrate or disperse the mob, the assistance of the military was at last called in; on the appearance of which, accompanied by several magistrates, who immediately read the Riot-act, further violence ceased. But, although fire-engines had now arrived, few of the crowd would assist in working them; and even men who were carrying water had their buckets violently taken from them by the rabble.

On the morning of the following day, a crowd of idlers assembled about the New Cross. Their numbers continued to increase during the day, till all the streets in that neighbourhood were completely blocked up. Instead, however, of attempting to destroy mills and machinery, they contented themselves with entering the shops of bakers, butchers, &c. and carrying off provisions. Every well-dressed individual, moreover, who was so unfortunate as to fall in their way, was attacked and plundered; and the number of street robberies committed was such, as, in broad day, and in the centre



of a great town, was never before heard of.

Although, in the course of the day, 200 of the Cheshire Yeomanry, and a company of the Rocket brigade, had entered Manchester (the latter, after being severely pelted with stones), yet the mob, towards evening, had increased to such a degree, that the magistrates thought themselves bound to interfere; for all the streets between Piccadilly and the New Cross were now filled with an unbroken mass of idle and riotous people. They proceeded to the spot, accompanied by cavalry, and the Riot-act was read. Part of the mob then dispersed; but those who had taken their station about the New Cross persisted in remaining, and the military were compelled to fire. A considerable number were wounded, for the street was afterwards found to be much stained with blood. No acts of violence took place during the night, or in the course of the next day; and, on the succeeding Monday, in consequence of the troops which were now pouring, from every quarter, into the disturbed districts, the riotous assemblages were at an end. Fifteen of the rioters were committed for trial, seven of whom were well known to the police as common thieves.

Similar dispositions were manifested in other places of the same districts; but, as they appeared after the magistracy and the military had been put upon their guard, they were quelled without any serious mischief having been inflicted.

In consequence of a numerous assemblage of persons in Wigan on Sunday 30th, apprehensions were entertained that some disturbance might take place, and an express was sent off to Manchester for a

troop of horse. Accordingly, a troop of the 1st Dragoon Guards arrived at Wigan about half-past seven on Monday morning. About nine o'clock on that night, a mob, consisting of from five to six thousand persons, assembled near the extensive factory of Mr. William Woods, containing 130 power-looms. Mr. Woods, however, had previously been on his guard, and put his premises into a complete state of defence. Six pieces of cannon were planted round the factory, and nearly 100 loaded muskets were in readiness to be presented through the windows, Mr. Woods having procured the assistance of all the pensioners about the town and neighbourhood. A troop of the Wigan cavalry, strengthened by a detachment of the Dragoon Guards, were also placed in an advantageous position; and the formidable array so much intimidated the mob, that, on the reading of the Riot-act, they rapidly dispersed, having committed no other damage than the breaking of a few windows. At a quarter past ten tranquillity was perfectly restored.

The following is the number of power-looms destroyed during the past week:—In the factories of Messrs. Sykes and Co. Henfield, 60; Mr. Walmesley, Rough Hey, 20; Mr. Bury, White Ash, 80; Messrs. W. and R. Turner, Helmshore, 100; Mr. Whitehead, Ramtonstall, 100; Mr. Kaye, Longholm, 20; Roston and Sons, Edenfield, 100; Bannister, Eccles, and Co. Blackburn, 170; Messrs. Hamer and Son, Summerseat, 48; Mr. Whitehead, Woodhill, 67; Messrs. Ashworth, Holt Mill, 6; Messrs. Hargreaves, Bacup, 28; Mr. Munn, Bacup, 51; Messrs. Mason, Gargrave, 25; 865; exclusive of those destroyed at the



mills of Messrs Aiken and Lord, Chatterton, and Mr. Haughton, Grimshaw Park, the number of which is not stated. The total number of looms destroyed is estimated at 1000, and their value at 30,000*l*.

30. BURSTING OF THE PADDINGTON CANAL.—The new sewer now executing at Paddington, having been left in an insecure state on Sunday night, the water from the canal forced a passage into it, and blew it up in every direction, forcing the earth along for several yards into a brick-field, sweeping down thousands of new bricks; thence taking its course along the fields towards Bayswater, it fell into the Westbourne, which it swelled into a rapid river. The fields over which the current passed presented a curious spectacle in the morning, being literally covered with people catching eels and other fish which had escaped, and which they were hunting for among the high grass. One man is said, in the early part of the morning, to have taken away two or three hundred weight of fine eels, and sold them at the market.

NATURAL HISTORY.—In 1820, Mr. Bogie, having procured three gulls of the black-cap or pewit species, cut their wings, and endeavoured to domesticate them in the pond at Terraughtie garden, Scotland. But their curtailed pinions soon began to shoot again; and while one of them flew away and never returned, a second was unfortunately found frozen to death one cold December morning. The third pewit was thus left quite solitary; but, as he had plenty to eat, he seemed to like his quarters passing well, and gradually became more and more tame; until his natural instincts, and the example of the wild gulls flying

about in the spring, induced him to resort to the marshy grounds, where the species are known to breed and rear their young, previous to returning to the sea-coast in winter. Mr. Bogie soon forgot his truant gulls; but the last of them, so far from forgetting him, re-appeared in April 1822, and after screaming repeatedly to announce his approach, was seen swimming in the pond, and hopping about the garden with the familiar air of an old acquaintance. From this time forward the bird became a great pet, and for five years in succession has not only come with the cuckoo, and gone away with the swallow, but has varied so little in point of time, that the gardener can almost tell the day of the month from the departure or re-appearance of his favourite gull; and, as he uniformly flies away in the same direction, it is believed that he bivouacks among some of the marshes beyond the estate of Castle-hill. Though his first approach is always announced by the loudest screaming, he becomes perfectly quiet afterwards, and is so tame that the gardener can call him down on the public road, or at any other spot where he may happen to see him flying over-head. In 1824, this sagacious bird actually brought his mate and family with him; but, for want of proper training in their youth, they were afraid to alight and partake of his food; and he never tried the experiment again.

STEAM-BOAT VOYAGE TO INDIA.—The Enterprise steam-vessel has at last reached Bengal. She sailed from Falmouth on the 16th August, reached the Cape on the 13th of October, and arrived at the mouth of the river Hoogly on the 9th of December, after a passage of 47 days from the Cape, having



expended all her coals. The whole time spent in the voyage has been 16 weeks and three days, which is very nearly the average length of the voyage in sailing vessels. Thus nothing has been gained by the use of steam; but, were depôts of coals established at the Canary isles, St. Helena, the Mauritius, and Ceylon, the steam voyage might probably be made in one month less time. Captain Johnston, by carrying the *Enterprise* to India, has earned the prize of 10,000*l.* subscribed at Calcutta as a reward to the first person who should make a steam voyage from England to India.

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#### MAY.

1. Mr. Richard Gower, of Pembury, accompanied by his wife, and a young woman named Hannah Jarrett, had set out in the morning from Pembury, in a small cart, to attend the anniversary of the Baptist chapel at Hadlow, and on attempting to cross the Medway by the wooden bridge at the Hartlake, the horse took fright and became restive; and unhappily the horse immediately backing the cart against the bank, they were all precipitated into deep water, the cart turning over, and overwhelming the whole party. After sinking and rising two or three times, Hannah Jarrett found herself entangled with the horse, clinging round his neck; the poor animal at the same time plunging, and endeavouring to regain the land, which he so far effected as to enable the young woman to catch hold of a small willow twig, from which she was, however, immediately torn by the struggles of the horse. She soon seized another twig, by

which she retained a firm hold; one of the reins being entangled round her arm, she was a second time in danger of being torn away, but having a knife open in her hand, she severed the rein, and the horse plunging backward, was immediately drowned. Whilst the young woman was in this perilous situation, she saw Mrs. Gower rise to the surface, clasp her hands, and immediately sink. Having a little recovered herself, Jarrett crawled up the bank, and made her way to an adjoining cottage, but Mr. Gower was seen no more.

2. AFFRAY WITH SMUGGLERS. —On Thursday last the guard-boat of the night, at the mouth of Rye-harbour, observed a smuggling galley a short distance off, and immediately chased her; the smugglers, finding the guard-boat nearing them, pulled for the beach, and, at the moment of grounding, when the guard-boat had got alongside, opened a fire from small arms on the crew, which the blockade-men returned, boarded, and drove the smugglers out of her. The firing from the boats brought the blockade-men, who were looking out near the Camber watch-house, to the spot nearly as soon as they had landed, when a petty officer seized one of the smugglers, and placed him in the custody of the men. At this instant a body of armed smugglers, not less than two hundred, rushed from behind the Sand hills to rescue their people, and they also commenced a heavy fire upon the blockade sentinels, killed one man and dreadfully wounded another. The blockade, however, captured the galley, 42 feet in length, rowing ten oars, with some tubs of spirits in her, and drove off the smugglers, who carried off their wounded.



· **RETURN OF THE COMET OF 1825.—*Spire.***—The great comet of last year, which was expected to appear again this spring, was observed last night in the southern horizon, precisely at the place where the preceding calculations led us to look for it. As the tail is now turned from us, the comet seems to be only surrounded with a nebula, which, however, is bright enough to be visible to the naked eye, were it not so near the horizon that the density of the atmosphere prevents it. It crosses the meridian at midnight, at the elevation of 8 degrees.

***Manheim.***—The lovers of astronomy remember that the comet, which was discovered last July, in the constellation of Taurus, and was visible in Europe till the middle of October, after which it appeared in great splendor to the inhabitants of the southern hemisphere, ought to appear again this spring above our horizon, sufficiently luminous to be again observed in Europe before it finally takes leave of us. This expectation has been fulfilled. The comet was discovered last night in the constellation of the Wolf from the observatory. It can only be seen with a good telescope, is very pale, and resembles a second nebulous spot, 3 or 4 minutes in diameter. We saw neither tail nor nucleus. The observed position is, May 1, 12 h. 33 m. mean time, at Manheim; right ascension, 228 deg. 4 min.; south declination, 33 deg. 3 min.

3. ***Augsburg.*** — Biela's comet was observed last night in its expected return from the northern hemisphere. It is by no means so brilliant as the comet we saw in April, but resembles a faint nebulous spot. It formed a triangle

with the stars *g* and *f* in the Wolf.

Mean time, 11 h. 6 m. 17 s. Right ascension, 224 deg. 27 m. 21 s. South declination, 29 deg. 35 m. 26 s.

**ACCIDENT.**—On Tuesday afternoon Mr. Green ascended in his balloon, from the Eagle Tavern, City-road. At the back of the tavern, a scaffold was erected upon a shed, which being let out in opposition to another, the price of admission was reduced to one penny and two pence. Owing to the lowness of the charge, the scaffold in a short time was crowded to excess, and being slightly put together, a few minutes before the ascent, the centre pole broke, and instantly the whole of the platform fell in towards the middle, people and planks intermingling together, with a tremendous crash, which was succeeded by piercing shrieks from the unfortunate persons and the by-standers. Immediate assistance was rendered, and in the course of half an hour the whole of the unfortunate beings were got out, when it was discovered that between 50 and 60 were more or less wounded by fractures and bruises, and three or four killed.

**DISTURBANCES IN LANCA-SHIRE.**—***Manchester.*** During the day many meetings of the working-people were held in St. George's-fields and their vicinity. Some of these assemblages were very numerous, estimated as high as 15,000 or 20,000. The meetings were from time to time harangued, by those who appeared to be their leaders: and the theme of the speakers was, invariably, "destruction to the power-looms, and the factories containing them."

Affairs remained in this state during the greater part of the afternoon; the mob dispersing at the



approach of the military, and re-assembling on their departure. About half-past four a considerable alarm was excited by a statement that the rioters were assembled in immense force in St. George's-fields. A large body of constables, accompanied by a detachment of Dragoons, repaired to the spot; but the meeting had broken up before their arrival. Shortly afterwards, papers were stuck up in the neighbourhood of the New Cross, inviting the people to assemble at the old place of rendezvous. In compliance with the invitation, the mob again collected, and were again addressed in a most inflammatory strain by their orators. One of these was in the act of earnestly recommending the destruction of the power-looms, when part of a heap of bricks on which he was elevated fell with a loud crash. The momentary confusion created by the accident induced a belief that the cavalry were approaching, which was confirmed by some individuals exclaiming "They are coming! they are coming!" The crowd instantly fled in all directions, the orator being amongst the foremost of the fugitives.

Having recovered from their panic, they reassembled for the last time. A person of the name of Johnson, formerly employed in the Manchester Police-office, but who, some time since, was discharged from his situation, was now observed in the crowd, and recognised by some of the mob. Instantly a cry was raised of "A spy, a spy!" and an attack was made on the unfortunate man, who was abused and beaten in a shocking manner.

About half-past seven the mob determined on attacking the fac-

tory of Messrs. Johnson and Brookes, which is situated at New Islington, and contains between sixty and seventy power-looms. Having reached the mill, they proceeded to attack it on both sides, in order more readily to effect an entrance. Every pane of glass within the reach of their missiles was instantly broken: they pulled down part of a wall, and had just effected a breach in a postern door leading into the factory yard, when Messrs. Johnson and Brookes' foreman, and a few watchmen who had been left to protect the premises, saw that resistance on their part was now necessary. At this moment there were not fewer than 3,000 men crowding through the narrow passages that surround the building, who, perceiving a breach made on one side, rushed towards it amid loud shouts of, "Come on, come on!" The men stationed within the mill now fired two shots from the front windows, both of which took effect. The mob fell back for a moment;—three of their party appeared to be wounded, and one fell. He was picked up by his companions and carried to a neighbouring shop, where it was suggested he should be taken to the infirmary. Having carried the wounded man a short distance, they stopped, and appeared uncertain whether to proceed to the infirmary with their companion or return and again attack the factory. For a moment the advisers of the latter proceeding seemed to prevail. The wounded man was laid on the ground—some of the party cried out, "He is dead" and others exclaiming "Back, back," and "When, when!" (this latter is their watchword and signal of attack.) Finally, the rioters retired, carrying their com-



rade with them to the infirmary. The two others who were wounded, were not seriously injured.

Soon after these occurrences, the military, headed by Mr. Foster, the magistrate, arrived at the spot, but the rioters had disappeared, and a few stragglers who remained, quietly dispersed on the Riot-act being read.

Johnson and Brookes' factory having been attacked the same night that Mr. Beaver's mill was set on fire, the proprietors had procured a supply of ammunition and fire-arms, and stationed watchmen to protect their premises; and to this timely precaution their escape last night is to be attributed.

During the remaining part of the night all remained quiet.

3. AFFRAY AT BRADFORD.—Every thing here remained quiet till this day, when a meeting was held upon Fairweather-green, in pursuance of the following notice:

**"PUBLIC MEETING ON FAIR-WEATHER-GREEN.**

"At the suggestion of some of our employers, we, the Woolcombers and Stuff-weavers of Bradford and its vicinity, hereby convene a meeting on Fairweather-green, on Wednesday, the 3rd of May, 1826, at one o'clock, to take into consideration the present unparalleled distress and famishing state of the operatives, and if possible, to devise some prompt and effectual means to afford them relief.

"A numerous attendance is particularly requested."

(No signatures.)

At one o'clock not more than a dozen people were on the ground, but they continued to increase till near three, when there were perhaps 1000. They seemed quite at a loss what to do. There were no

hustings erected, or other preparations made; and being without leader or spokesman of any description, they appeared quite undecided as to the object of their meeting, except what was contained in the general terms expressed in the hand-bills. Nor could it be ascertained, although inquiry was made on the spot, who it was that called them together. There seemed, however, to be an understanding amongst them, that they were going to march to the mill of Messrs. Horsfall, as they did on Monday. After forming in several groups, they again moved in a body to Messrs. Horsfall's mill, where they arrived a little before four o'clock, and began throwing stones at the windows as before. The squares, which had been broken on Monday, about 240 in number, had been since glazed. They continued at this work for about half an hour, till they had completely driven in three of the windows, stanchions, frames, and every thing connected with them. On Tuesday workmen had been employed in fixing iron bars in front of the lower windows; and, as the doors were secured by strong three-inch-deals, it was almost impossible to force an entrance. At half-past four o'clock, colonel Plumbe Tempest, accompanied by a number of special constables, stood on the ground adjoining the mill, and read the Riot-act. The mob still showed no disposition to disperse, but continued throwing stones at the windows for some time afterwards. All other efforts hitherto adopted proving unavailing, the persons who were in the mill, amounting to about 100, fired upon the mob, wounded several, and made the others leave that part of the ground, and go to



the other side of the mill. Several persons were now engaged in carrying the wounded to the dispensary which was not far from the spot. One of the guards in the mill then appeared at the opening of a window in the upper story, on the south side, when there was a tremendous rush along the opening from the mill to the street, in which several females and others were thrown down, but without any serious accident.

The civil power being now found insufficient to restore order, two troops of the Yorkshire Hussars were immediately ordered out, and proceeded, with lord Grantham and colonel Yorke at their head, to the scene of action, when part of the mob dispersed. Others remained on a piece of ground eastward of the mill, about a yard higher than that which the yeomanry occupied. Taking advantage of their situation, they threw some stones at the officers, when a few of the Hussars leaped the walls, and drove them off in all directions. The neighbourhood of the mill now became clear, but the streets adjoining continued to be crowded; the mob offered no violence, but often manifested symptoms of disapprobation by hissing and shouting.

4. CORONER'S INQUEST.—An Inquest was held on Jonas Barstow, who died the preceding night, in consequence of the wounds he had received.

Mr. John Walker.—“I am the apothecary of the dispensary at Bradford. On Wednesday afternoon, about twenty minutes past four o'clock, Jonas Barstow was brought, in a wounded state, to the dispensary; on examining him, I found a contused wound on the back, and another wound cor-

responding to it under the right breast. He died about twenty minutes before ten o'clock of hemorrhage (bleeding) occasioned by the wound. He continued sensible until he died: a short time before his death, he stated, that he came with the mob from Fairweather-green, and assisted in the attack upon Messrs. Horsfall's mill, and that, as he was breaking the windows with a pole, he saw a person fire at him: he tried to escape, and received a wound in the back. I have no doubt that the death of the deceased was occasioned by the wound he had received.

Mr. Thomas Horsfall, the manager of the mill, stated, that it belonged to Messrs. John Garnett Horsfall and Co.; and that he had been upon the alert for several days past in consequence of information he had received that there was an intention to attack the mill. Witness applied to the magistrates to know if they could give him effectual assistance, which they promised to do; and he himself procured what arms he could. The result of their joint exertions was a force of about forty persons, about thirty of whom were military, and were provided with fire-arms; his own people, amounting to about ten, were chiefly armed with pikes; ten of the military were dragoons, and the rest consisted of a detachment from the recruiting staff at Leeds. About four o'clock the preceding afternoon they saw a considerable body of people coming furiously towards the mill, and the witness immediately ordered every man to the station which had been previously assigned to him. The mob advanced in a menacing manner, but he did not see arms or sticks. They immediately commenced an



assault upon the mill by volleys of stones, and broke almost all the windows: some few of the men were hit by the stones, but were not hurt. Witness was occupied in going from one station to another. The mob continued about the premises for about three quarters of an hour. Witness being asked if he was not afraid of his life, said he was not, but it was because he thought they would be able to repel the attack. If the mob had succeeded in obtaining admittance, it was his opinion that they would have been all destroyed. The mob made no demand for admittance, and nothing was said to them by the persons within; the assault was too furious to admit of any parley, and witness could not have spoke to them without endangering his life. The orders that he gave to his people and the military were, that no man should fire, whatever windows might be broken, or provocation received, until there was an actual attempt made to enter the mill, and till then there was not a shot fired. Witness heard a cry that they were breaking in. There might be about thirty shots fired. The guns were loaded with ball; witness does not know whether any canister shot was used; there was some in the mill. The stones were thrown with such violence, that some of them passed through the opposite window. The Riot-act had not been read when the firing commenced, and there was no magistrate present. It was a power-loom mill.

Mr. John Ingham is a special constable; was in the mill during the attack upon it, and assisted in the defence. He was in the yard when he first saw the mob coming, and they advanced so rapidly, that

he had scarcely time to get the outer gates closed before they arrived; and before he could get to the lower gate, they had begun to throw stones. Witness ran into the mill to see that all the men were at their proper stations; he then remained in the lower room, which was the place of the greatest danger. The attack first commenced on the east side, but very soon the windows on the north side, were driven in by large stones. He observed two men particularly active and violent; one of whom wrenched an iron stanchion of one of the lower windows from its fastening, the removal of which would have rendered admittance into the mill very easy. Witness said the deceased was one of these men. Witness considered both the property of the mill, and their lives, to be in the greatest danger, and the soldiers said they would not stand still to be murdered. Witness was asked the name of the person who fired, but he said he would rather not mention it, and the question was not persisted in. Mr. Horsfall gave them strict orders that not a stone should be thrown, nor a shot fired, unless the assailants attempted to make an actual entry into the mill, whatever windows might be broken.

Several other witnesses were examined, and the evidence being gone through, the Coroner said there were two questions for the consideration of the Jury; first, was the death of the deceased occasioned by the firing from the mill? and, secondly, was it under such circumstances as justified it. Six of the jury said they were entirely satisfied that the firing from the mill had not commenced until it was necessary for the safety of the property of the mill, and the lives of



those that defended it ; others of the jurors thought that the firing had been too indiscriminate, and too long continued, but they ultimately agreed in the following verdict :—"That the deceased had been shot by some persons to the jurors unknown, in the mill of Messrs. John Garnett Horsfall and Co. in the preservation of the lives of the persons and property therein."

A similar verdict, on similar evidence, was returned in the case of Edward Fearnley, who was shot upon the same occasion.

**DISTRESS IN DUBLIN.**—The magistrates of Arran-Quay Police-office having received information at an early hour yesterday, that a number of the inhabitants of that wretched quarter had assembled for the purpose of going in procession through the city, with their wives and families, to exhibit to their fellow-citizens the misery of their deplorable situation, Mr. Herbert and Mr. Studdert, accompanied by a party of the Police, repaired to the liberty, where they found a vast concourse of persons about to proceed towards the interior of the city. These unhappy beings did not manifest the slightest desire to disturb the public peace, and, on the remonstrances of the magistrates, they consented to abandon their original intention. They, however, stated, through the medium of some of their body, that they feared the subscription, which had been generously set on foot for their relief, could not have the effect of permanently removing the distress under which they were suffering: that although they might be relieved from their present starvation for a moment, the distress would again return ; and that they merely wished to get

employment, by which they might maintain their starving families. They suggested, themselves, that the sum collected might be best supplied in purchasing the stock of goods at present on hand, which would enable the manufacturers to give employment to multitudes of workmen, who are now totally without the means of procuring a morsel of bread.

**SINGULAR IMPORTATION.**—A package of a singular description was imported at the Custom-house, Dublin, from Leghorn, and consigned to the rev. T. Murphy, of Kilkenny. The declared value by the owner is 1s. which subjects it only to a duty of two-pence, and the package is entered on the books, "One box of bones of Martyrs."

**6. STATE-PAPER OFFICE.**—By the industry and research of Mr. Lemon, some interesting discoveries have recently been made in this office. Amongst other valuable papers is an entire translation of Boethius, by Queen Elizabeth ; the prose in the hand-writing of her majesty's secretary ; and the whole of the poetry in the Queen's own autograph. Parts of a poetical translation of Horace, written by the Queen, have likewise been found. What is far more important, as it relates to the history of that period, nearly all the documents connected with the events that occurred during the reign of Henry VIII, especially the king's various divorces, have likewise been brought to light ; particularly the whole case of Catherine Howard. It is intended to submit these literary and historical relics to his majesty.

**8. LIABILITY OF CARRIERS.**—*Marsh v. Horne.*—The Chief justice delivered the judgment of the court in this case, which came



before the court originally on a special verdict. It was an action against the proprietor of a stage coach, for the loss of two boxes sent by his coach to Bath. The declaration was in the usual form of *assumpsit*. The special verdict found, that the defendant, being the proprietor of a Bath coach, published an advertisement, giving notice to the public, that he would not hold himself liable for the loss of any parcel or package of more than 5*l.* value, unless the same was entered and paid for as such. Plaintiff knew of such advertisement when he delivered these two boxes to go to Bath, and defendant was aware they were worth more than 5*l.*; and yet no insurance was tendered by the one party, or required by the other. The Court was of opinion that that fact was not sufficient to take the defendant out of the range of the protection which the notice he had given threw round him: and, therefore, that judgment must be entered for the defendant.

**RIOT AT TROWBRIDGE.**—On Saturday last, the town of Trowbridge was the scene of much confusion and outrage. Some hucksters had been suspected of either forestalling or monopolizing potatoes, the price of which commodity advanced considerably in the market on that day beyond that of the previous week, and these circumstances were considered by the mob as ample reason for making an attack upon the gardeners indiscriminately. This they accordingly did; and the work of plunder and destruction was so effectively performed, that by 11 o'clock not a vegetable of any description was to be seen in the market; and at that hour every shop was closed. The country but-

chers, fearing a similar attack, removed their meat, and, by twelve, only the town-butchers' standings were left. At that time the market-place was filled with a rabble of the lowest description. The magistrates (who are for the most part manufacturers) assembled at the Woolpacks Inn at three o'clock, and drew up an address to their misguided work-people, pointing out the folly of their conduct in thus driving away those persons who were in the habit of attending the market with provisions—exhorting them to patience and good conduct—and threatening to discharge from their employ all who should be found joining in such riotous proceedings. This address was widely distributed (in a printed form), and a number of special constables were sworn in.

About nine o'clock, however, a violent outrage commenced; the mob attempting to break into the shop of Thomas Marsh, baker, in the market-place. Foiled in this attempt, they then drew off to the courts in a large body, and began to pelt the constables, who rushed upon one or two individuals that had rendered themselves conspicuous. One of them they succeeded in apprehending, and committed him to the guard-house; although in going thither, they were nearly overpowered by the mob, many of whom had large sticks and stones. This outrage was succeeded by frequent skirmishes with the mob, who were evidently bent on every species of mischief; and one of their first attempts was, to liberate the prisoner. Mr. Waldron, the magistrate, assisted by some of the most respectable inhabitants, stationed himself at the door of the prison, and told the crowd that he was determined to remain at his



post : but an increase of force from the besiegers rendered a retreat necessary, in which several of the constables received broken heads and severe contusions. The rabble then proceeded to unroof the prison, and to liberate the prisoner ; and in this they fully succeeded.

Further attempts to restore tranquillity appearing to be vain, the greater part of the constables thought it proper to endeavour to protect their own personal property ; a measure which was highly necessary ; for about half-past twelve the mob began parading the High-street, breaking the windows of the inhabitants, although very many of them could not be considered as having rendered themselves obnoxious. In some instances the windows were demolished *in toto* ; and the street lamps were also destroyed. These violent proceedings continued till about two o'clock.

An express had been sent to Devizes for the yeomanry cavalry, who arrived about one o'clock on Sunday ; and between five and six o'clock the constables, guarded by the military, proceeded to apprehend some individuals who had been marked out as particularly active in the riot on the previous evening ; two of whom were immediately sent off in a chaise to Salisbury for trial at the ensuing assizes.

By the judicious management of the magistrates, quietness was restored by ten o'clock at night ; when not an individual was to be seen in the streets.

17. ACCIDENT.—A melancholy occurrence took place on Saturday, at a house near Ebenezer Colliery, in the parish of Westbromwich, by which four persons perished. At a house where it has been

usual to keep gunpowder for the purposes of the colliery, a quantity of about half a hundred weight was deposited in a barrel. At nine o'clock in the morning, some persons at work at the colliery were alarmed by hearing a rumbling noise proceed from the house, and instantly afterwards an explosion took place, by which the roof and two sides of the dwelling were blown down. Several of the workmen immediately hastened to the spot, where they discovered Mary Belcher, the wife of the occupier of the House, lying under the rafters, which had fallen upon her, with her clothes on fire. She had her infant, about two months old, in her arms ; her son, William, about three years old, was also lying under the rafters, by her side, both the children's clothes being on fire ; and at a little distance, a girl of the name of Maria Jackson, about nine years of age, who assisted Mrs. Belcher in nursing, was seen running from the house with her clothes nearly burnt from her body. So dreadful was the injury which these unfortunate creatures had sustained, that they all died in a few hours.

20. LIBEL.—*Fisher v. Stockdale*.—This was an action to recover compensation in damages, for the injury received by the plaintiff, in consequence of a libel, which had appeared in the 9th number of a work entitled “The Memoirs of Harriette Wilson.”

Mr. Serjeant Vaughan addressed the jury for the plaintiff. Mr. Fisher was a very respectable attorney, residing at Lyme-Regis, had been married for the last thirty years, and had now a large family. The number of the “Memoirs of Harriette” to which he alluded, and which formed the



subject of the present action, imputed, in the clearest terms, to the plaintiff, that he was a man of the most impure and gross conduct, as a married man. It described him as a "lady killer," and as possessing black eyes and a tall person; it also mentioned him as practising in the profession of an attorney. Now these facts would show the meaning of the libel, and would identify the Mr. Fisher of the "Memoirs" as the present plaintiff. What answer the defendant would be able to give to the case he knew not, but he was quite convinced none could be introduced which would deprive the plaintiff of his claim to large damages.

The libel was put in and read.

A witness was then called, who proved that the plaintiff was a married man. He had been married thirty years, and had a large family. He practised as an attorney, and no other person of that name and profession resided in Lyme-Regis.

The Lord Chief Justice in summing up said, he was bound to tell the jury, that in point of law, the publication, which formed the ground of the present action, was a libel; because any publication whatever, having a tendency to represent another person in an odious or ridiculous light, is a libel; still more so when it imputed to any one the crime of forgetting his duty as a husband and a father. That it was false, must be taken for granted; and he would tell them why. Mr. Fisher had taken the best possible course in a case of this sort. He had brought a civil action. If ever it happened to him to have his character attacked by a libel, he should undoubtedly bring a civil action against the publisher of it. An

opportunity would thus be given of proving the truth of what he had said. But no proof of the truth of the present libel had been produced. It must, therefore, be concluded, that the statement was false. There could be no doubt that reference was made by it to the plaintiff; there was no other Mr. Fisher practising at Lyme-Regis. What right, then, had this prostitute, or this pander supporting this prostitute, thus to make these false and libellous publications against respectable gentlemen? It had been contended, that there was no charge of immorality in the libel. But, was it not an imputation of immorality, when that was asserted of the plaintiff, which had formerly been remarked of a woman, that she was *lassata non satiata viris*? What the intention of the part was, in publishing the present work, appeared from the back leaf of it. It held out a threat to all that was great, to all that was noble, to all that was amiable, in this country, unless they would pay sufficient to satisfy this prostitute, who, having supported herself as long as her personal appearance would permit, now sought to eke out the wretched remainder of her life by publishing these false and infamous libels. Allusion had been made to the profession of the plaintiff. Now, attorneys, from their confidential situation, were peculiarly liable to such attacks as the present. Taking all the circumstances of the case into their consideration, it was for the jury to say what was the amount of damages to which the plaintiff was entitled. The jury immediately returned a verdict for the plaintiff; damages 700*l.*: costs, 40*s.*



## 22. MURDER NEAR CASHEL.—

A most daring and atrocious murder was perpetrated, last Sunday night, on the person of Edmund Murphy, esq. of Grange, while on a visit at the house of his brother, W. Murphy, esq. at Ballynamona, within a mile of Cashel. A horse and car, bearing a man whom Mr. Murphy expected, having arrived about half-after nine o'clock; on the door being opened for the admission of the expected person, seven or eight fellows, armed, and not disguised, rushed into the hall, shoving the person that arrived and the man that attended the car, in before them. After stationing two fellows at the hall-door as sentinels, four of them entered the parlour where Mr. William Murphy was sitting, Mr. Edmund having a few minutes before retired to bed, as he had to set out for Clonmell at an early hour. They at first demanded what arms were in the house, and repeatedly struck Mr. Murphy, once knocking him down, and punched him in the back with a blunderbuss, in order to drive him up stairs before them. Mr. Edmund, hearing the noise in the hall, ran down stairs in his night-shirt, and was immediately urged up again along with his brother. Having ascended to Mr. William's bed-room, they received the arms they demanded (a gun and blunderbuss) and, when they were obtained, they demanded "travelling charges," and immediately broke open some of Mr. Murphy's trunks, desks, and a chest of drawers, which they rummaged, and rifled the desk of a note-case, with some (memoranda) papers, a one pound note, and a check on the Provincial Bank for 23*l*. On receiving the note-case, one of the fellows (a young ruffian) said it contained

nothing but powder, and demanded more money, which Mr. Murphy denied having, and then ordered his servant to bring them some drink, when another of the villains said they would have none of his whiskey, as it was offered only with a view of delaying them there. While they were continuing their examination, and breaking the furniture, Mr. W. Murphy opened the window, making as much noise as he could, by forcibly driving down the sash, and by clapping his hands, cried out "Now my lads! here are the police and ye will be nabbed," when the ruffians ran down stairs to the hall-door, and learning from the centinels there that it was only a false alarm, they returned up stairs again, and forcing the Messrs. Murphy down to the hall, ordered Mr. William to kneel, which he refused to do, saying, he never knelt to any person, and owing to bodily infirmity, could not. Mr. Edmund, in order that the ruffians might not injure his brother in forcing him to kneel down, said, that, if it were an amusement to them he would kneel; and, he having done so, one of the murderers discharged his blunderbuss at the distance of about a yard from him, and shot him in the neck. He expired almost immediately; two balls and four slugs having entered that part of the body: one of them passed through the carotid artery, and another, from the repulsion it met at the vertebræ of the neck, was turned down into the stomach. Mr. Edmund was all the time in his night shirt, and, while he was on his knees, Mr. William incessantly begged of the villains, if they were determined on murder, to take his life, as he was



old and infirm, and without children to suffer from his loss; rather than deprive a young and helpless family of its only protector. After accomplishing this work of destruction, the gang decamped, carrying off the plunder they had made in money, and seven or eight bottles of wine which they had taken from the cellar.

**NATURAL HISTORY.**—A reversed specimen of the common brown snail, (*Helix aspersa*) has lately been found in the parish of Shropham in Norfolk.—We believe this to be the only genuine British individual ever noticed of this very rare variety, except one, formerly in the possession of the late Dr. Hunter.—In the month of November last, the Hoopoe was shot in the same parish, and several other very rare birds. Some scarce British plants have been observed about the same spot.

**23. CORONER'S INQUEST.**—An Inquest was held on the body of the rev. F. Lee, aged 63 years.

Mr. Robert Wake of No. 179, Piccadilly, Surgeon, sworn: “On Monday last about one o'clock in the afternoon, I was called to attend the deceased, and went immediately; I found him lying on the floor of his bed-chamber, No. 11, in the Albany; his shoulder was supported by a small trunk; he was quite dead; and I supposed, from his appearance, he had been so above an hour. In the deceased gentleman's right hand was a barrel of a gun; it was a double-barrelled piece; one of the barrels had been discharged in his mouth, by which the whole of his (the deceased's) skull was blown off. From his position, my opinion is, that he discharged the gun himself.

Ann Jones, sworn.—I was ser-

vant to the deceased, and have been so for five years. The deceased was a clergyman, but has never performed clerical duties to my knowledge; he had a country-seat in Lancashire, and in the last year he was six months there. About three years ago I was told by his then cook that the deceased gentleman was a married man; but I have never heard it mentioned since, and I never saw his wife, or knew where she resided. The deceased had only one son, about twenty years of age, who lived constantly with him; he was of no profession, but was supported by my master. On Monday, soon after one o'clock, my young master came to breakfast in the dining-room, and he desired me to go to his father, who was then in an adjoining room, and ask him if he would have a cup of tea; I went accordingly to his bed-room door, and found it locked; I told my young master of it, who said—then he would wait a little longer for his breakfast. In about a quarter of an hour after, I was desired to try the door again, and still found it locked; I was then requested to try two other doors which lead into my master's chamber, and found them not locked; I then proceeded into my master's apartment; he was not in bed; this frightened me; and, on leaving the room, I observed him lying on the ground. I instantly informed my young master of the circumstance; at this time there was with him Mr. Davis, a clergyman, residing near Greenwich, who was an acquaintance of the deceased; I begged of Mr. D. to come out of the room alone, and he went to look for a medical person; at this moment, I was unconscious of what had happened to my master. Dur-



ing the absence of Mr. D. my young master came out of the dining-room and I endeavoured to prevail on him not to go to his father's room, upon which he seemed very much affected, and said, "I must see my father;" he then looked into the room, stepped back, and fell to the ground on his face, being quite overcome with the melancholy spectacle. By this time Mr. Davis returned accompanied by the medical gentleman. The deceased went out but seldom; he also kept very little company. My young master generally dined with the deceased; they lived very happily together, and I never heard him reproach his son.

George Pritchard, esq. of Lincoln's-inn-fields, solicitor, sworn.—I was concerned for the deceased in a matter respecting a partnership undertaking, which had proved very disastrous, and which subjected him to pecuniary responsibility to the extent of between two and three hundred pounds, which he was fearful he should not be able to provide for; this, and other matters connected with it, were evidently more than his mind could bear.

The coroner and jury, returned a verdict that the deceased gentleman shot himself in a state of lunacy.

26. MURDER NEAR MANCHESTER.—A murder was perpetrated last night, between Patricroft and Worsley. About ten o'clock, two men entered the public-house, the Jolly Carter, kept by Joseph Blears, and called for liquor. They had not sat long, before they urged the landlord to join them, upon whom they pressed glass after glass, till he became intoxicated. They inquired whether

they could be accommodated with a bed, and an answer was returned in the affirmative. About twelve o'clock they signified their intention to retire, and were shown to an upper chamber by the servant girl. Immediately on reaching the door of the room, one of them turned upon the female, and aimed a blow at her with a knife. In the struggle, and with a view to defend herself, she held up her hands, and the fingers of one hand were nearly cut off. They next made a stroke at her throat, and nearly severed her head from her body. A boy in an adjoining room, who was in such a situation as to see what was going forward, leaped out of bed, and in his terror threw himself over the rails of the staircase, and flew out at the door. The men instantly followed, and, in running down stairs, met the mistress of the house, who had heard the noise, and was on her way to inquire into the cause. The man who held the knife, which was still reeking with blood, struck at her with all his strength on his rapid descent down the stairs. The instrument entered her cheek, and penetrated the bone, where it was left by the villain, who, with his companion, pursued the boy who had escaped. The poor lad fortunately succeeded in concealing himself in a sough near the place; and the murderers, probably fearing that he had given the alarm, fled. The landlord was unable to render any assistance; and there is little doubt, from the circumstance of their having reduced him to a state of helplessness, that they had contemplated the murder of the whole family. The servant girl was murdered on the spot; and the landlady, though



living, was left in a very dangerous state, the knife having been struck with such violence into the bone, that the blade was completely curved, and it took a considerable time to extract it.

**THE JEWS.**—The following is, so far as can be ascertained, the present distribution of the Jews throughout the world.

In Bavaria .....	53,402
Saxony .....	1,300
Hanover .....	6,100
Wurtemberg .....	9,068
Baden .....	16,930
Electorate of Hesse .....	5,170
Grand Duchy of Hesse ....	14,982
Rest of the allied German States .....	18,248
Frankfort on the Maine....	5,200
Lubeck .....	400
Hamburgh .....	8,000
Austrian States .....	453,545
Prussia.....	134,980
Russia .....	426,908
Poland.....	232,000
Great Britain .....	12,000
Low Countries .....	80,000
France .....	60,000
Sweden .....	450
Denmark.....	6,000
Switzerland.....	1,970
Italy.....	36,900
Ionian Islands.....	7,000
Cracow.....	7,300
Turkey in Europe .....	321,000
Asia .....	138,000
Africa (of which 300,000 in the empire of Morocco)	504,000
America .....	5,700
West Indies .....	50
Total ....	<u>3,166,603</u>

27. **UNFORTUNATE MAN-SLAUGHTER.**—An inquest was held at Pontefract on the body of Mr. Blackburn, who was stabbed on the night of the 24th by Mr. Carlile.

Miss Rebecca Carlile having been sworn, said.—The deceased, Joseph Blackburn, came to my father's house on Tuesday night last about a quarter past eleven

o'clock. I had been in bed. He threw up some earth against the window; after he had thrown several times, I got up, opened the window, and spoke to him, and wished him to go away immediately. He was then standing upon the ledge of the parlour window, and had placed his hands upon the bottom of the chamber window, and I then put down the sash, and left him in that position. In two or three seconds after I saw him jump down, and never saw him again. I did not hear him cry out. I heard a noise in the room below, which was a parlour we did not make use of. The noise I heard was the breaking of a window. I did not know at the time who it was that did it, but was informed in the morning that it was my father. I saw my father return into his room; he had no light with him, but there was a candle in his lodging room, which enabled me to see him. I had not a distinct view of the countenance of the deceased, as he was below me, and it was partly covered by his hat. I do not think that there was sufficient light to have enabled me to distinguish his features, but I knew his voice. Mr. Blackburn had two or three times before thrown earth at my window about the same time in the evening, and I twice got up; upon one of those occasions I had some conversation with him; on the other, I merely desired him to go away. Mr. Blackburn never visited me in the day-time at my father's house. I wished him to come in the day-time, and speak to my father, but this he did not do. There had been no quarrel or dispute between my father and the deceased. My father told me that he disapproved of the visits of the deceased, and I



had not given any encouragement to his addresses, since my father spoke to me on the subject. I forbade him to visit me again, and I never admitted him into the house, nor have I kept his company in any other manner than I have now stated, except speaking to him once or twice at my father's door. My father's lodging-room is on the other side of the house. I did not give any alarm; my sister Sophia got up and went out of the room, as soon as the deceased came to the window. I do not believe she knew who it was. I first became acquainted with Mr. Blackburn at Hamburg.

Mr. Benjamin Carlile, the brother of the last witness, said, "About half-past eleven o'clock on Tuesday night last, my sister Sophia came into my room, and said that there was somebody breaking into the house; I put my trousers on, and found my father (who had also been called by my sister) a few steps before me; he always keeps a sword in his room, and had it then in his hand; we went into the parlour, and I saw a man standing at the window; my father put the sword through one of the top panes, but not as I believe with great force: nor did he speak to the man: we both thought that he was standing on the ground at some distance from the window, but I could not judge of the distance, as it was very dark, and it was not until he had leaped down that I discovered that he had been standing on the ledge of the window; he jumped down immediately after my father put the sword through the pane. My father had no idea that he had hurt the man. We then went into the kitchen; my father said he had put the sword over his head

to frighten him: but when I told my father the position in which the man was standing, he said he was afraid that he had hurt him. The moon had not then risen. I went down stairs under an impression that the person was breaking into the house; and from what my father said at the time, I believe that he had the same impression upon his mind; we found the parlour window a little open; I did not know whether it was left so when the family went to bed; we made no attempt to pursue the supposed robber; we wiped the sword with a white handkerchief to ascertain if there was any blood upon it; we found it rather stained, but we thought it was with the rust and grease; we had no further conversation about the robber; my father was somewhat agitated, but I was not at all so; the deceased and my father had never had any quarrel."

Miss Sophia Carlile, who seemed about sixteen years of age, said, "I heard a noise at my sister's chamber window, on Tuesday night, about eleven o'clock; it seemed to be occasioned by something thrown at the window; I was awake by the noise, but I did not speak to my sister about it: I did not know that Joseph Blackburn threw it. She did not get up whilst I was in the room; I thought it was thrown by some person that was going to break into the house; I went to my father's room, and told him that some person was breaking into the house, and he immediately got up; I went to tell my brother, and then retired into my own room; I found my sister sitting in a chair undressed; I heard the noise of the breaking of the window; but I did not see or hear of my father afterwards. I did not



tell my father that Blackburn was throwing at the window, I remember dirt being thrown at the window once before, and my sister told me that it was Blackburn who threw it ; I am not certain whether my sister had got out of bed before I went to alarm my father or not ; I did not hear my sister speak to Blackburn."

Mr. Joseph Waiblinger said, " I am a surgeon at Pudsey. I was called on Tuesday night, about eleven o'clock, to visit the deceased. I found a great quantity of blood in his small-clothes ; there was a wound in the abdomen, five inches below the navel, a little to the right ; there was a portion of the omentum protruded through the wound, which I was obliged to remove. I told the deceased that the wound had more the appearance of having been inflicted by a sharp cutting instrument than a ball ; the deceased said he could not say whether the noise he heard was the discharge of a pistol or the breaking of a window. I saw the deceased six or seven times on Wednesday (25th), and again on Thursday morning, when I continued with him till he died, which was at nine o'clock.

Mr. Hutchinson was called to prove the examination of the deceased, which had been taken by the rev. J. A. Rhodes, and was to the following effect :—That the deceased went to Mr. Carlile's house, between eleven and twelve o'clock on Tuesday night, to visit his daughter, as he had done many times before : he got up to the window to speak to her ; she burst into tears, and her mother asked her why she cried, but he did not hear any answer ; Mr. Carlile stabbed him immediately, but the deceased said he did not see him

or hear him speak ; he hardly knew he was wounded until he got a few yards from Mr. Carlile's house, and he thought he should never have been able to have got to his brother's house ; in a subsequent part of his examination, he stated that he never said that he knew it was Mr. Thomas Carlile who had stabbed him, as he had neither seen him nor heard him speak ; had not lately had any quarrel with Mr. Carlile, nor had Mr. Carlile at any time threatened to do him any injury ; witness about a year since had a quarrel with Mr. Carlile ; it was about Sophia, who told her father that he was paying attentions to her sister Rebecca ; Mr. Carlile spoke to him out of the window ; he seemed vexed, but did not threaten him.

The jury returned a verdict of *Manslaughter*.

FORTUNATE ESCAPE FROM SAVAGES.—In 1824, the Countess of Morley being off the Marquesas, Jeffery, the chief mate, with a boat's crew, was despatched on shore to procure fresh provisions in exchange for articles of barter. In prosecuting this object, he was induced to enter one of the huts, where he was detained as a prisoner. It is conjectured that the natives, in resorting to this measure, had no intention of injuring him ; but as he appeared to be the principal of the party, they wished to have a musket offered for his ransom. They had before expressed a great desire for fire-arms, and declined exchanging their hogs, fruit, fowls, &c. for any thing else. Those who accompanied the mate, seeing nothing was to be done against such a force as had been collected, returned to their boats, and made good their passage to the ship. The next day Griffiths volunteered



his services, and with two boats' crews, well armed, proceeded to the shore in quest of Jeffery. Soon after they had landed, he was led down to the beach, between two of the natives, backed by a numerous host; and having told his shipmates that he was afraid of falling a victim to the treachery of the islanders, an attack was instantly commenced, and in the skirmish Jeffery got free. By this time the force of their adversaries so augmented, that they were obliged to give way, and retreat to their boats, under showers of stones, one of which struck Griffiths on the back of his head, and knocked him senseless into the water. When the boats were at some distance from the shore, the lifeless body of Griffiths was held up by the heels in view of his shipmates, who looked upon him as dead. So, indeed, thought the islanders, for each claimed a part as his share, and but for the interference of their chief, these cannibals would have made a sure end of him. This chief, whom Griffiths represents to be a venerable old man, nearly ninety-years of age, with a flowing beard, had him conveyed to his hut, and seeing that life was not extinct, advised their using every means in their power to recover him, as he might be useful in teaching them how to mend and clean the muskets they were in possession of; this reasoning seems to have had the desired effect, and being adopted by the old chief as his son, he was thenceforth treated with much kindness. His time was mostly occupied in helping them to make and mend their fishing-nets, which were formed of the inner bark of a tree. He also accompanied them in their canoes when fishing, but was never suf-

fered to go by himself; and, on the appearance of any vessel in the offing, he was forced to keep at a distance from the beach. The clothes which he had on when made prisoner were taken from him, and distributed among the natives. Thus Griffiths was obliged to wander over the island in the same state of nudity with his companions. The hope of eventually escaping kept up his spirits, but the difference of diet, having nothing but fruits and water to subsist on, materially impaired his health. A man of colour, named Exeter Dick, who belonged also to the Countess of Morley, was taken at the same time with Griffiths, but being conveyed to another part of the island, he contrived to make his escape. Another man, called Michael Dale, had been detained there some years, but the fear of being retaken prevented his endeavouring to escape. Griffiths describes the island, which is situated in lat. 9. S. long. 139. 27. W. and called by the natives Rooahoogah, as very mountainous, and well wooded. It is totally uncultivated, but produces the bread-fruit, cocoa-nuts, plantains, bananas, &c. in abundance. The only animals are hogs, which are killed and eaten on particular occasions, such as the death of a priest or chief, when the number devoured is in proportion to the consequence of the party. Their arms consist of clubs and lances, and the persons killed and taken in war are devoured. They appeared to set great value on a few old muskets, which Griffiths cleaned and repaired as well as he was able; and this circumstance alone caused him to be held in much estimation. — After residing there for some months, he became ac-



quainted with their language, and latterly spent much time in conversing with the old chief with whom he lived, and to whose interference he owed his preservation. The old man was very inquisitive as to the extent and power of England, and often said that, but for his great age, he should have endeavoured to visit it. The natives are all idolaters, and the taboo forms an essential part of their system of worship. The antiquity of the taboo is equal to the other branches of that superstition of which it forms so component a part. The idols, temples, persons of the priests, chiefs, burying places, &c. are always taboo, or sacred. The prohibitions and requisitions of the taboo are strictly enforced, and every breach of them punished with death. After living with the family of the old chief about twelve months, Griffiths succeeded in escaping to an enemy's tribe on the opposite side of the island, by whom he was favourably received. Here he remained some time, when, by promising to send them a supply of powder, they suffered him to depart in a canoe to St. Christina, another island about fifty miles further to the southward, where British and American ships often send their boats to procure refreshments. He reached St. Christina in safety, and after being there three weeks, an English ship hove in sight; on her nearing the place, Griffiths plunged into the sea, and swam alongside a boat which had been despatched from the ship for provisions, and after a little explanation was taken on board. The vessel was the *Eliza Frances*, of London, Stephenson master. Griffiths remained on board to work his passage home, and arrived in the Downs about three weeks since.

31. To-day, parliament was prorogued by commission. The commissioners were, the lord chancellor, the archbishop of Canterbury, the marquis Conyngham, the earl of Harrowby, and the earl of Shaftesbury.

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## JUNE.

2. MEDWAY CANAL COMPANY.—On Friday and Saturday last, an important inquiry was had at the Court Hall at Rochester, before the committee of the company of proprietors of the Thames and Medway Canal, to ascertain the compensation to be paid by the Canal company to Mr. Gunning, Mr. De La Cour, and Mr. Hasted, for expenses incurred by them, and damage done to their estates at Frindsbury and Strood: the works of the canal having abstracted the water from Mr. Gunning's pond, and having introduced salt water into the wells of Mr. De La Cour and Mr. Hasted, so as to render them brackish. The inquiry excited great interest, and continued on the first day, from ten in the morning until seven in the evening. The claims of the several parties amounted to 1,526*l.* 17*s.* 6*d.* but were reduced, by the verdicts of the jury, to 978*l.* 13*s.*

3. MURDER AT BEDALE.—Mr. Nicholas Carter, of Crake Hall, near Bedale, about 55 years of age, was returning from Leyburn market on horseback. Mr. Plews, a neighbour, accompanied him to Constable Burton, where he remained a short time, and Mr. Carter proceeded onwards. Mr. Plews found him, about ten minutes after the attack had been made upon him, weltering in his blood, and speechless, at a small village



called Aikber, with three severe blows upon his head, and near him a rail which had been broken from the severity of the blows. He was taken to his house, where surgical skill was obtained, but he died at ten o'clock the same evening. The hon. and rev. Thos. Monson, H. P. Pulleine, esq., Marmaduke Wyvill, esq., the rev. J. J. T. Monson, and the rev. E. Wyvill, magistrates, immediately commenced an investigation into the affair, and, from evidence which they obtained, strong suspicion was entertained that Leonard Wilkinson, a native of Finghall, was the perpetrator of the act: he was therefore taken into custody. On the day when he was first apprehended, he laughed at the accusation, and set at defiance every suspicion of his guilt. But when he had to meet the coroner's jury, he betrayed strong symptoms of inward agitation. His tongue faltered, his step was no longer firm, at length he fainted away, and fell apparently lifeless on the floor. After some time, the prisoner made a confession to the following purport: That he did not murder the deceased; but that the murderer was an Irishman whom he had met with at Leyburn market, and who had given him some things which the deceased had been possessed of, but had kept the remainder of the property himself.

An inquest was held on the body; and the jury returned a verdict of wilful murder against Leonard Wilkinson.

IRISH ROBBERS. — It having been discovered, by private information, received by Mr. Keily, a police officer, that certain persons who had lately committed robberies in the neighbourhood of Mitchelstown were about to com-

mence depredations near Mallow, and that Eastly-house was to be the first object of plunder; that officer consulted with Mr. Crossley, chief constable of the barony, on the most eligible mode of successfully resisting them; and it was thought proper to communicate to James L. Cotter, esq. who is nearly related to that family, the intention of robbery.—It was on Wednesday last ascertained that that night was determined on for its completion; when arrangements were made, and a party of police in disguise, with Messrs. Crossley and Keily, were secretly introduced into the house at intervals, during the evening, where they were received by Mr. L. Cotter, who had previously arrived there. Between the hours of ten and eleven o'clock a loud rap was heard at the hall door; a female servant inquired who was there, when a person answered "he wanted to deliver a note to the lady of the House." The servant was told (in a whisper by the party inside) to open the door, when two of the robbers, well armed, rushed into the room where the ladies were sitting, and in the most terrific manner ordered the candles to be put out. Though it had been the intention to allow the entire party of robbers to enter, with the hope of effectually breaking up this noted gang, yet from the savage manner of the persons who first came in, and from apprehensions for the personal safety of the family, the officers of police, and Mr. Cotter, who were nearest the spot, rushed forward, when the ruffians, on observing them, fired, and slightly wounded Mr. Crossley. Immediately a desperate struggle commenced, in which the parties reached the hall,



when the other three police officers, who had been stationed at remote parts of the house, joined them. By this time the lights in the hall had been extinguished, and the scene became dreadful in the extreme, both from the darkness that prevailed, and the smoke of the several shots that had been exchanged, and the contending parties not being able to distinguish each other. One of the robbers, who was severely wounded, availed himself of this opportunity and escaped, dragging Mr. Keily with him out into the lawn; traces of blood were found for a considerable distance. The other died in a few moments from his wounds.

**SUICIDE.**—A melancholy case of self-destruction occurred at Oundle on Friday last. William Spencer, of Warmington (whose wife lately eloped from him with another man, but since returned home again), had been at Oundle the greater part of Friday, and was observed to be unusually dejected and low-spirited, as if something heavy was preying upon his mind; he even told one person that he would either hang or drown himself that evening. About a quarter past eight o'clock he left the town, in company with a man named Norman, and, on going over the North bridge, Spencer once or twice lingered behind, but his companion each time stopped for him; at length, when they got opposite the deep pit of water on the north side of the river, Spencer suddenly jumped over the rails of the bridge, and, exclaiming "now for it," threw himself into the pit, where, after struggling for about two minutes he sunk to the bottom. Norman immediately went into the water, but could not reach him on account of its great depth. As-

sistance was immediately procured, and drags used, but it was not until after the lapse of three quarters of an hour that the body was found; medical assistance was at hand, and all means were resorted to for restoring animation, but in vain. The body was then taken to the chapel at Ashton, and on the following day an inquest was held, when the jury returned a verdict, "That the deceased drowned himself in a fit of temporary derangement."

**EARTHQUAKE AT SHIRAZ.**—The following letter communicates the particulars of this calamity:—"Bushire, Nov. 10, 1825.—I am sorry to inform you, that a shock of an earthquake was felt at Shiraz at the end of last month, almost equal to that of last year. A great number of buildings have been thrown down, and much property destroyed; I am, however, happy to say, that few have lost their lives on this dreadful occasion. If you should ever revisit Shiraz, the changes that these dreadful visitations have made in it will fill you with grief and astonishment. The tombs of Hafiz and Saadi, the boast and glory of Shiraz, are now heaps of ruins. If these great men were now to rise from their graves, they would find ample subject for the employment of their pens in the spectacle of the almost entire ruin of that city whose former magnificence they have sung in numbers destined never to be forgotten."

**DESTRUCTIVE FIRES IN HANOVER.**—According to the accounts hitherto received of the destructive fire at Eimbeck, in the end of last month (besides a far greater number of barns, stables, and out-houses), 170 dwelling houses and public buildings were consumed:



among these are the school, the post-house, and the church. The latter being a solid building, and nearly insulated, the unfortunate inhabitants had placed in it a great part of the furniture, &c. saved from the burning houses, but the steeple having caught fire the flames spread to the roof, and all the wood work was burnt, together with the furniture and beds, only the four walls being now left. Unhappily there have also been fires within these few days at Wachendorff, Haresfeld, and Hockelheim.

4. EARTHQUAKE AT POTONZA.—At forty-five minutes past seven in the evening a slight shock of an earthquake, which lasted twelve seconds, was felt at Potonza, the chief town of the province of Basilicata. The motion was undulatory, and from north to south.

On the same day, and at the same hour, similar shocks were felt at Salerno, the capital of the province Citerior, and still more strongly at Campana, in the same province. Happily the inhabitants did not suffer; no person was injured, nor was any damage done to the buildings.

5. DEATH OF WEBER.—M. Carl Von Weber, the celebrated Composer, expired at six o'clock in the morning, at the residence of sir George Smart, Great Portland-street. He was found with his head reclining on his hand, his features as calm as if in sleep. His disorder was occasioned by a severe cold, which he caught soon after his arrival in England, and which baffled the skill of his physicians. On Saturday his medical attendants despaired of his recovery.

SKELETONS.—In the course of last week, as some workmen, in the employ of Mr. Huggins, at

the top of the Vineyard in Abingdon, were sinking a cellar immediately behind the old entrenchment in Rudley-lane, they discovered not less than four human skeletons, at the depth of five feet below the surface. The ground appears to have been, at some time or other, raised, at least two feet, whether subsequently to the bodies being there deposited, or not, is hard to say; but it seems evident, that, whenever the inhumation took place, the subjects were buried in their garments, as with one of them, pronounced to be a female, a large and curious key was found, supposed to have been in her pocket, as the skeleton was found in a horizontal position, and the key by her side. Another was discovered without a skull, and in such a position that it may reasonably be inferred, that the grave was too short to admit the body longitudinally; and beneath the confused bones was found a knife. It is most probable that the persons here interred lost their lives in one of the battles or skirmishes between Charles the first and the parliament.

7. SOUTHWARK ELECTION.—The election for Southwark having commenced to day, by seven o'clock the committees of the several candidates proceeded to their respective head quarters. At half past nine, C. Calvert, esq., sir R. Wilson, and E. Polhill, esq. (the new candidate), made their appearance, and drove through the principal streets of the Borough, and, shortly after ten, arrived at the temporary hustings erected in front of the Town-hall, around which a large multitude of electors and others had been for some time collected.

Sir Robert Wilson first came up, in an open barouche, followed by



numerous carriages, and accompanied in his own by several of his friends, among whom were his two daughters and M. Lavalette, the latter of whom afterwards placed themselves at a window at Mr. Farmer's, whence they could overlook the proceedings. Sir Robert's carriage was drawn by the crowd, the horses having been taken out near the Asylum, where he had met his friends. Before the carriage were exhibited a number of banners, displaying various devices and sentiments; among which were—"Wilson, and Purity of Election!"—"Wilson, and Trial by Jury!"—"Wilson, and Public Liberty!"—"Wilson, the friend of the People!" &c.

Mr. Calvert followed shortly after, and was also received with a strong expression of approbation. His colours, like sir Robert's, were blue, and the inscriptions on the banners were—"Independence and Trade,"—"The 1,932 Electors," "Parliamentary Reform," &c.

Mr. Polhill next drove up in a plain carriage; his colours were orange and purple. The inscriptions on the banners borne by his followers were—"No Popery," "Our Trade and Commerce," "The Protestant Constitution," &c. His reception was of a much less cordial character than that of his two rivals, and a long and violent struggle ensued between the cheers and hisses of the opposing parties. The most splendid piece of pageantry which was exhibited, was a noble banner, suspended at a great elevation, and reaching across the street in front of the hustings. The ground, a mixture of orange and blue, the colours of Mr. Polhill, was inscribed with "Polhill, our Trade and Commerce," in letters of gold.

The usual preliminary forms having been gone through, Mr. Calvert was proposed by Mr. Davies, and seconded by Mr. Ellis; sir Robert Wilson was proposed by Mr. Blackett, and seconded by Mr. Arrowsmith; Mr. Holloway then put Mr. Polhill in nomination, who was seconded by Mr. Bishop.

The high-bailiff (Mr. Holmes) then called for the show of hands. For sir Robert Wilson and Mr. Calvert the numbers were nearly equal, and comprised almost the whole assemblage in front of the hustings. For Mr. Polhill about half a dozen hands were held up. The high bailiff then declared the show of hands was in favour of Charles Calvert, esq. and sir Robert Wilson. This announcement was received with loud cheering. Mr. Bishop then, on the part of Mr. Polhill, demanded a poll.

The polling continued till the 14th, when at nine o'clock the high-bailiff addressed the meeting, stating that he had received a letter from the agent of Mr. Polhill, announcing that gentleman's intention to continue the contest no longer.

Proclamation was then made in the usual form, with the intention of closing the poll at ten o'clock; but two electors insisted on giving their votes to Mr. Polhill, and they were accordingly registered, which made it necessary to make the proclamation anew at ten o'clock. Shortly after that, other electors appeared on the part of sir Robert Wilson, but they were dissuaded from giving their votes, which would only have tended uselessly to protract a contest of which all parties seemed to have become tired; and at eleven o'clock (no one having polled within the hour) the high-



bailiff announced the numbers to be—

Mr. Calvert . . . . 1807

Sir R. Wilson . . . . 1712

Mr. Polhill . . . . 1342

He then declared Mr. Calvert and sir Robert Wilson to be duly elected for the Borough of Southwark.

7. EXECUTION.—This morning were executed Joseph Taylor, aged 31, for horse-stealing; James Johnson, 23, for robbing his master, Mr. Munns, an auctioneer, in Oxford-street, of 276*l.* in cash and bills of exchange; and William Benfield and Robert Savage, for stealing in a dwelling-house to the amount of 40*s.* and upwards.

The conduct of Savage from the moment of his conviction till within the last two days, was outrageous in the extreme, and he treated the humane attempts of his spiritual advisers to bring him to a proper sense of his awful situation, with the greatest effrontery, and indulged in the most profane language. However, by the strenuous exertions of Mr. Cotton, the rev. ordinary, and the rev. Mr. Baker, the misguided man on Monday evening became more decorous, and paid attention to the religious discourses of the above two gentlemen, and yesterday he was engaged nearly the whole of the day in writing letters to his friends. About two o'clock in the afternoon, his wife, and the wife of Benfield, who is the sister of Savage, arrived at Newgate, and were permitted to take a last farewell of their unfortunate partners. The meeting on the part of the men was very calm and indifferent; the women were very much affected, but appeared at length more composed, on being told by the unfortunate

men that they felt every inward happiness, and trusted in their Redeemer for forgiveness. Taylor and Johnson were also visited by their friends and relatives; the wife of the former was dreadfully affected at beholding her unhappy husband, and they embraced each other repeatedly, their tears flowing in torrents. Johnson's father, an aged man, could scarcely stand the melancholy task of taking his last farewell.

At a few minutes before eight o'clock, Mr. Sheriff Kelly and the two under-sheriffs arrived, and proceeded to the press-room, where they waited with the officers of justice the approach of those who were to suffer. Taylor, a very gentlemanly-looking man, dressed in a black coat and waistcoat, drab breeches, and top-boots, first entered. He walked along the room with a firm step, and his countenance portrayed great composure and fortitude. In answer to a question from Mr. Sheriff Kelly, he said, "he hoped he should be forgiven by the Almighty; and he was glad to say that he felt very comfortable through the divine assistance he had received." His arms and wrists having been made fast by the cords, he was seated on the condemned seat. The next that entered was Johnson. He appeared very weak indeed, and hardly able to walk. He seemed very penitent; and, during the operation of pinioning, he clasped his hands, and raised his eyes fervently to heaven. The next that entered was Benfield, who underwent the same operation with a becoming fortitude. Savage came into the room with a hurried step, and underwent the pinioning with great firmness. Taylor mounted the



scaffold first, then Johnson, next Benfield, and lastly, his brother-in-law, Savage, who ascended the steps very quickly. The executioners having adjusted the ropes, the rev. ordinary remained a few short moments in prayer, and, the signal having been given, the four criminals were launched into eternity. Before the hour arrived for the execution, carts and waggons were allowed very injudiciously to pass and repass: the consequence was, that a poor man was crushed between the gallows and a coal-waggon in such a dreadful manner, that he was carried to the hospital with little hopes of recovery.

#### 8. EXPLOSION IN A COAL-PIT.

—This week there occurred another of those destructive accidents which are so frequent in the mining districts. On the morning of Tuesday last, between three and four o'clock, an explosion of hydrogen gas took place in the Staw Pit, Townley main colliery, Stella, in the county of Durham, by which upwards of forty men and boys were instantaneously deprived of life. The heads, arms, and bodies of men, a moment before vigorous and healthy, were suddenly thrown inanimate into the air. The very horses were ejected with violence, and the whole elements of destruction appeared to have been fearfully set in motion. An inquest was held on one of the sufferers, Thomas Liddell, before M. Hall, esq., one of the coroners for the county. One of the witnesses, Wm. Waugh, a pitman, said, he was down the pit on Friday, and it was then in a good working state. They knew that seam had fire in it. They worked with candles on the Friday. Davy's lamp

had been used in the seam, but not lately. Mr. James Hall, the viewer, said, he had not been down the pit within a fortnight, but he had a daily account of its state from the under-viewers. It was in an excellent condition. The jury returned a verdict of *Accidental Death*.

MR. GREEN'S ASCENT.—Mr. Green ascended from the gas-works at Boston this afternoon. Between 20,000 and 30,000 people were assembled in the town to witness it, of whom about 600 persons purchased admission to the gas-yard. Mr. Green was not accompanied by any person in the car of the balloon. The descent took place at Allington, near Grantham, as appears by the following statement supplied by the aéronaut himself: "On first leaving the earth, the car of the balloon was W. by S., but in about five minutes, it changed to nearly due W., passing between Swineshead and Heckington, and proceeding in a direct line for Grant-ham, until nearly over sir J. Thorold's park. Boston then resembled a mass of rubbish covering about an acre of land, and knowing that its inhabitants must have lost sight of the balloon, I commenced descending, which I calculated on effecting a little to the east of Grantham, but when about 4,000 feet from the earth, the balloon fell into a current of air from the south-east, which conveyed it in the direction of Newark. The country still being favourable for the purpose, I continued descending, and landed at five minutes past five o'clock in the parish of Allington, near Bottesford, at the seat of T. E. Welby, esq., eight miles from Newark, and six from Grantham. About half an hour



after the descent, several gentlemen arrived from Grantham, one of whom lent me his horse, and the balloon being packed on another belonging to Mr. J. B. Tunnard, of the Blue Lion Inn, Grantham, it was conveyed by that gentleman to the George Inn, where I received the congratulations of a large party of gentlemen. My view of the earth was grand in the extreme, having on no former occasion had a more extensive one. My greatest elevation indicated by the barometer was nearly two miles and a quarter, the mercury having fallen from 30 to 20·2."

9. CITY ELECTION. — To-day being the commencement of the election for the city of London, before eleven o'clock the crowd had collected about Guildhall, and the gentlemen of the livery passed through the temporary wooden erection placed there for the purpose, and took their places in the spacious porch, in readiness for the opening of the great gates of the Hall. As the clock struck twelve, the large oaken portals of the Hall rolled back, and in rushed a dense mass, by whom the space below the hustings was nearly filled. Although unusual precautions had been resorted to, from the experience of inefficiency in the arrangements on former elections, they were scarcely adequate to the occasion, so unusually numerous was the attendance, and so great the pressure on the barrier put up to keep off the crowd from the places set apart for the candidates, the poll-clerks, and other necessary officers. In spite of the earnest resistance offered by the city marshal, and his corps of constables, many of those places were actually carried by storm.

At one o'clock, every effort having been made to obtain a clear passage by the side of the wall up to the hustings, the lord mayor, attended by the city officers and the candidates, entered the Hall. In their progress up to the hustings they were loudly cheered, but they were also hard pressed upon from all sides, and especially at the steps of the platform.

On reaching the centre of the hustings, the lord mayor advanced to the front, and bowed frequently in acknowledgment of the loud plaudits with which he was received. He then retired to his chair. Mr. Alderman Wood who next presented himself, was received with mingled hisses and applause. Mr. Alderman Thompson's appearance was marked with loud and protracted applause. Mr. Ward was attired in a full Court dress: he possesses a manly figure and countenance, and became the dress he wore; and his reception was very flattering. Mr. Alderman Waithman obtained general applause. The aldermen wore their collars and civic robes. The crier having made proclamation of silence, the king's writ was read by the Secondary; and the sheriffs took the usual oaths to return without fear or favour the members on whom the voice of the electors should fall; after the show of hands had been taken, the sheriffs declared that in their opinion the election had fallen on William Thompson, alderman and ironmonger; Robert Waithman, alderman and frame-work-knitter; Matthew Wood, alderman and fishmonger; and on Wm. Ward, esq. citizen and musician.

A poll was then demanded by Mr. Alderman Brown, on behalf of Mr. Alderman Garratt; and the



meeting was adjourned to half-past three o'clock. The polling was closed on the 18th, when the numbers were announced as follow:—

Alderman Thompson . . .	6,483
Alderman Waithman . . .	5,042
Mr. Ward . . . . .	4,991
Alderman Wood . . . . .	4,880
The Lord Mayor . . . . .	4,514

WESTMINSTER ELECTION.—A few minutes before 12 o'clock, the high-bailiff, the deputy-bailiff, Mr. Smedley, T. Halls, esq. (the magistrate), sir Francis Burdett, John Cam Hobhouse, esq. Messrs. Richardson, sen. and jun., Mr. de Vere, Mr. Purse, Mr. Wilson, Mr. Adams, Mr. Lyndon, and a number of other electors, came on the hustings. The two late members on their appearance were received with loud cheers.

Mr. Smedley then came forward and read the writ.

T. Halls, esq. administered the oath to the high bailiff, that he would make an impartial return without favour or affection, or fee, or reward.

The Act of Geo. II. commonly called the Bribery Act, being read,—

Mr. Lyndon, seconded by Mr. Purse, proposed sir Francis Burdett; and Mr. de Vere, seconded by Mr. Wilson, proposed John Cam Hobhouse, esq.

Mr. Smedley made proclamation three times, that if any one had any other person to propose, they must then come forward, or sir Francis Burdett, bart. and John Cam Hobhouse, esq., who had been proposed, would be returned as citizens to serve in Parliament for the city and liberties of Westminster.

No person appearing, Arthur Morris, esq. the high-bailiff, then

declared sir Francis Burdett, and John Cam Hobhouse, esq., duly elected representatives of the city and liberties of Westminster.

13. RIOT AT CARLISLE.—Sir P. Musgrave, one of the candidates for this city, was induced, in the course of his canvass, with a party of his friends, to go to the remotest part of Shaddongate, called “Milburn’s Buildings.” Having entered a yard for the purpose of soliciting a freeman for his vote, he was surrounded by a large body of weavers, who represented to him their miserable situation. They complained of sir Philip’s vote on the question of the Corn-laws, and on Mr. Abercrombie’s motion respecting a reform of the representation of Edinburgh, and wished him to pledge himself to vote in favour of a radical reform of parliament, whenever the subject should come before the House of Commons. After a considerable time spent in conversation of this nature, sir Philip and his friends made their way out of the yard, but were soon after assailed with stones, brickbats, and other missiles. Sir Philip, with one or two gentlemen, took shelter in a house near Messrs. Cockburn’s pipe manufactory, and there remained, with the door fastened inside, two or three hours, while the crowd continued debating without. At length a large body of gentlemen, with the mayor at their head, approached the house in which sir Philip was confined, but were so violently assaulted by heavy volleys of large stones, that they at last retired, and were pursued and pelted out of Shaddongate. Although encouraged by this victory, the populace felt assured that some other decisive attempt would be made to rescue sir Philip, and they awaited to repel it. In



about half an hour, a numerous party of the 55th regiment of foot, preceded by a few artillery-men, and accompanied by the mayor and others, marched towards Shaddon-gate. As soon as they reached the new brewery, they were saluted by tremendous showers of stones, which put them into some confusion. Having formed against a wall, and loaded with ball, they were ordered to march forward, after the Riot-act had been read. The mob, however, continued to assail them with terrible volleys of stones; and when the military came to the end of the new street called Queen-street, they were ordered to fire, which they did. One woman standing at her own door, at the head of Queen-street, with a key in her hand, was shot through the head, and died, after heaving a single groan; an orphan lad, named Skinner, had a ball shot through his ankle; and a little girl of the name of Pattinson, was shot through the head. In the midst of the uproar, sir Philip Musgrave was conveyed away safely by his friends. An inquest was held upon the bodies of the two females, and the jury returned as their verdict, "That the deaths of the deceased, Isabella Pattinson and Mary Birrell, were occasioned by balls discharged from muskets, by some soldier or soldiers belonging to the 55th Regiment of Foot. That in consequence of the Riot-act having been read, and the mob not dispersing, the soldiers were in the first instance justified in firing their muskets; but the jurors cannot refrain from expressing, as their opinion, that they continued to fire in a very indiscreet and inconsiderate manner, and particularly at private houses, when the necessity for so doing seems to

them to have ceased. That the deaths were, in other respects, Accidental.

ARCTIC EXPEDITION. — Despatches have been received from captain Franklin, of the Arctic land-expedition, dated at winter-quarters, Fort Franklin, on the great Bear Lake, September 6th. During the summer, three expeditions, under captain Franklin, lieutenant Back, and Dr. Richardson, were made, preparatory to the great objects to be undertaken next year. The expedition under captain Franklin went to the mouth of Mackenzie river, which he found to discharge itself into an open sea; there is one island near its mouth, called by captain Franklin, Garry's Island. From the summit of this island the captain saw the sea to the northward, clear of ice or islands; to the westward he saw the coast to a great distance, his view terminating at very lofty mountains, which he calculates were in the longitude of 139 deg. west. The expedition would proceed early in the spring on its ulterior objects. The officers and men were all well, and in high spirits, at the favourable circumstances which had hitherto attended their proceedings.

18. BLUCHER'S MONUMENT.— The colossal statue of field-marshal Blucher, prince of Wahlstadt, erected at Berlin, between the Palace and the Opera-house, was this day opened to public view. The hero is represented in his field-marshal's uniform, and mantle, holding his sword in his right hand. Both the figure itself, and the lofty pedestal on which it stands, are of bronze: the latter, which rests upon a granite socle, is adorned in front with an inscription, and on the other three sides with bas-



reliefs. The inscription (in German) is,

FREDERICK WILLIAM III.  
TO  
FIELD-MARSHAL PRINCE BLUCHER,  
OF WAHLSTADT.  
1826.

This noble work of art was cast from the model of professor Rauch; and the architectural decorations of the pedestal designed by M. Schinkel, an architect to whom Berlin is indebted for many of its most magnificent structures; particularly the new Theatre, and the Museum, which latter, when completed, will be one of the noblest and most classical buildings in Europe.

**THUNDER STORM.**—A thunder storm was felt with great violence at Ashton-under-Line, where the thunder was extremely loud and frequent, and accompanied by a heavy fall of hail and rain. About three o'clock, a poor woman, the wife of John Adamson, a joiner, standing at the window inside her house, was killed on the spot by the lightning. Another person, a lodger in the house, was lying upon a bed close to the window in the room above; and, one of the bed-posts being split by the lightning, a part of it struck him, which caused him to bleed rather profusely, but he soon recovered. The lightning first struck the frame of the window in the chamber, which it completely split, then split the bed-post, and from thence passed through the chamber-floor to the room underneath, at the window of which the poor woman was standing at the time she was killed. The storm was very violent for the space of nearly an hour.

**THUNDER STORM AT EXETER.**—The city and neighbourhood of Exeter were visited by a tremendous

tempest on Saturday last. At the village of Alphington, near Exeter, a thunderbolt struck the tower of the church, which was unprovided with a conductor, while four men and a boy, who had just been ringing a merry peal in honour of the election, were standing within the portal of the church, beneath the tower. They were all prostrated to the earth; the boy, named John Coles, having an iron hammer in his hand, was killed on the spot; one of the men was hurled many yards into the church. It is remarkable that the shoes of three, and the coat of one man, were severed into entire shreds. The vane of the tower was much distorted by the power of the electric fluid, which, in its progress to the ground, tore up the stairs of the tower, and removed several stones of great weight. It then burst into the body of the church, and after having dashed the communion table to pieces, rebounded from the east wall, and terribly shattered the whole of the edifice. The upper part of the tower, and the whole of the eastern side of the church, must be rebuilt. The storm passed over the city of Exeter about two o'clock in the afternoon, in the midst of the ceremony of chairing the newly-elected members, who, with their splendid silken cars, and gallant cavalcade, were wofully bedrenched by the heavy torrents of rain.

20. **M. BIELA'S COMET.**—The comet discovered by M. Biela on the 27th of February is remarkable for the very near approximation of its course, in the descending node, to the orbit of the earth. According to Clausen's Ellipse, Dr. Olbers calculates the distance of that point of the orbit of the earth which is the nearest to the orbit of the



comet at 133 1-3rd semidiameters of the earth. He then proceeds:—"This time, therefore, the comet was only a little more than twice as far from the orbit of the earth as the greatest distance of the moon from the earth. Of all the comets whose orbits have been calculated, none, except that of 1680, have come so near to the earth's orbit. The perturbations which the orbit of the comet experiences from the powerful influence of Jupiter, must alter this distance at every revolution of the comet, but may as well diminish as increase it; and thus it is not quite impossible that this comet may once pass very near to us, nay, even touch the earth with its atmosphere. Extremely, nay, infinitely small as the probability of such an event is, for each particular revolution of the comet, yet this possibility gives a double interest to the accurate calculation of the orbit on every revolution of the comet, and to the precise determination of the perturbations to which it is liable. The extent of the atmosphere of this comet, as seen on the 8th of December, 1805, is very great: how great cannot be ascertained, till we know more accurately the course which it then described. That which has some appearance of a solid nucleus, but, for the most part, is surely not solid, was found at that time very small. It is also conceivable that an eclipse of this comet, by the shadow of the earth, may be one day observed, which would decide the question whether the comets have any light of their own. It may be hoped that, as this comet sometimes comes so near us, we shall be enabled to ascertain more accurately the nature of those bodies."

SWITZERLAND.—On the 20th  
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of May, at half-past nine in the evening, one of the gaolers of the prison of Lugano, going his usual rounds, went into a dungeon where two prisoners were confined. As he was going out, one of them, named Pifferetti, accused of murder, attacked him from behind, put out the light, and plunged a dagger into his breast; the victim struggling and calling for help, the assassin repeated his blows. The wife of the wounded man called the other gaoler to the assistance of her husband. An officer coming up had the prison opened, and summoned the murderer to surrender. Meantime the town was alarmed, the drums were beat, and many persons assembled round the prison. The assassin, however, threatened the officer and the persons present, whose numbers increased every moment. A musket, loaded with small shot, which was discharged full at his head, only rendered him more furious, and he renewed his attempts to escape. The smoke of the gunpowder diminishing the light which a candle threw on the scene, he was on the point of effecting his object, when Duroni, the second gaoler, aimed a blow at him from behind, which Pifferetti so far avoided that it only injured his hand. The officer, M. Lecini, then fired his musket a second time at him, but the villain, nevertheless, made a desperate rush at the door; M. Sinlinee ran him through the body with his bayonet, but he did not even totter. A wound given him with a sword, and heavy blows with a club, did not hinder him from brandishing his dagger with incredible agility. At length a young man, named D. Bertoli, seized him in his arms, threw him down, and after a struggle on the ground, wrenched his



dagger from him, and despatched him with it. Bertoli was twice wounded with the dagger, but it is hoped that he is out of danger. The first gaoler who had received the wounds died soon after.

21. SUICIDE.—An inquisition was taken at the King's Head tavern, in the village of Loughton, on view of the remains of a foreign gentleman, supposed to be Mons. Henri Soliere, a French artist of some celebrity, and lately resident in London.

The body was discovered in a most secluded part of Epping Forest, and exhibited marks indicative of a stubborn determination to commit suicide. One ball had penetrated the roof of the mouth, and, taking its course through the brain, had come out above the ear, while another had lodged underneath the breast-bone. Circumstances led to the belief that the act was committed so far back as on the 12th instant; for, on that day, a letter was received by a friend of M. Soliere in town, bearing the Loughton post-mark, of which the following is an extract:—"I left my home about six o'clock this morning," supposed to be the 12th; "I have been walking through the city, and onwards I scarcely know where, but actually find myself, now about noon, on the Cambridge road; I have passed the village of Woodford, and have touched nearly on that of Roundings: the country is covered with wood; the place pleases me much, it completely accords with my purpose;" it is thought he meant suicide. The body was in so advanced a stage of decomposition, that the scalp and hair were quite detached from the skull. At a short distance from where it lay, two new pocket pistols were dis-

covered, one of which was loaded, and a lock of hair of a brown colour, apparently cut off previous to the fatal act; there was also a pocket-book, in which were inscribed the following extracts from Rousseau, which scarce leave any doubt of the gloomy intentions of the deceased:—"When life becomes an evil to ourselves, and ceases to be a benefit to others, we are at liberty to deliver ourselves from the burthen." "As long as it is good for us to live, we anxiously desire it, and it is only the sense of external ill which can change our wishes, for we all have received from nature a great horror of death."

When the jury had returned from the Forest, whither they had gone to view the body, the following was the evidence laid before them:—

Robert Grant examined.—I live at Loughton; on Tuesday last, about eleven o'clock in the forenoon, as I was looking for my geese through the forest, I observed the deceased lying on the ground; I at first imagined he was asleep, but, on my approaching him, I perceived a most disagreeable stench. I, in consequence, went to a brickfield in the neighbourhood to procure assistance with which to remove the body; on examining the place where it lay I found two pistols, an umbrella, a pocket-book, eight pistol-balls, and some powder.

Mr. Davis examined.—I am landlord of the King's Head, Loughton; on Sunday, the 11th inst. between three and four o'clock in the afternoon, a foreign gentleman, bearing a strong resemblance to the deceased, came to my house and had a glass of sherry and a glass of port, and some bis-



cuits; after paying for them he departed, and proceeded along the road towards the wood where he was found; I saw nothing particular in his manners while he remained; he merely observed that the weather was extremely hot. Some further questions were now put to Mr. Davis, but nothing material was elicited; and, after the examination of two more witnesses, who spoke only in corroboration of finding the body, the jury returned a verdict of "Suicide committed while labouring under insanity."

**FUNERAL OF C. VON WEBER.**—This morning, the last rites were performed over the remains of this distinguished composer, in the chapel, in Moorfields, with all the grandeur which marks the ceremonies of the Roman Catholic church. The grand altar was hung with black cloth, and the branch tapers were also black. On the altar was placed the crucifix, and other insignia of the church, but the lights were not so numerous as upon the celebration of the ordinary mass. This being merely the service or recital of the prayers for the dead, the formula was somewhat changed, and of a much more measured and solemn character.

On the right of the altar the officiating priest took his position, attended by a group of boys, dressed in sable habiliments; and some other clergymen also attended to assist in the service, and stood to the right of the altar.

The following was the order of the procession of the funeral:

Conductors on Horseback.

Mutes in Silk Dresses.	} State Plume of Feathers. }	} Mutes.

THE HEARSE,

Drawn by six horses, decorated with immense plumes of Ostrich

Feathers; a Velvet Pall was thrown over the Hearse, upon which the Armorial Bearings of the deceased were placed.

Pages.	{ Mourning Coach and four Horses. }	Pages.

Containing as Chief Mourner, Sir George Smart, and Dr. Fushenheu, Dr. Kinde, Dr. Gaschien, the friends of the deceased.

The procession was closed by thirteen mourning coaches, and the private carriages of sir George Smart, captain Forbes, and Mr. Young.

The procession proceeded at a slow pace through the New Road, City Road, &c. to Moorfields.

The other mourning coaches contained Charles Kemble, capt. Forbes, Messrs. Willett, Fawcett, Robinson, Oliveri, Planche, Moscheles, Liverati, Braham, Forbes, Collard, Dalmaine, Chapman, Willis, Preston, Power, Lindley, Burke, Clementi, Hawsley, Bishop, Cramer, Shield, Burrows, Payne, Shellingsor, Walmsley, Major, Horn, T. Cooke, Robson, Rodwell, Woods, Robinson, Potter, Woodwell, Duruset, esqrs. Dr. Forbes, sir F. Stephenson, together with the Prussian consul, and a number of other persons distinguished in the musical world. On the coffin was the following inscription:

HIC JACET  
CAROLUS MARIA FREYHERR  
VON WEBER,

NUPER

PREFECTUS MUSICORUM SACELLI REGII  
APUD REGEM SAXONUM.

NATUS URBE LUTIN, INTER SAXONES  
DIE XVI, DECEMBRIS, MDCCLXXXVI,

MORTUUS LONDINI

DIE V JUNII, MDCCCXXVI.

ANNO QUADRIGESSIMO,  
ÆTATIS SUÆ.

24. CONFLAGRATION IN THE HIGHLANDS.—*Brechin*.—About twelve days ago a fire broke out in  
H 2



the hills in the parish of Strachan, which assumed an alarming aspect. It is supposed to have originated on the east side of Mount Battock, one of the Grampians, from a burning turf left on the bank by some people who had been casting peats, for the purpose of lighting their pipes, on the previous day—a frequent, though a foolish and dangerous practice. The surface of the ground is principally composed of moss, covered with heath; and this being completely parched by the recent drought, the fire spread rapidly and widely to the adjoining estates belonging to the earl of Aboyne and sir James Carnegie. On Sunday last, it had extended to a depth of from five to seven feet over a surface nearly seven miles in length and five in breadth, comprehending Mount Battock, Camlehill, the head of the Water of Ant, Petershill, and the Valley, down to the Stone of Clochnabean, which was that day enveloped in flame. The excessive heat from such a mass of burning matter, by preventing all approach, rendered it impossible to adopt any efficient measures for extinguishing the fire, which increased every hour. The inhabitants of the parishes of Strachan, Birse, and Aboyne, and the overseers of the respective proprietors, made every effort in their power without effect. Serious apprehensions were entertained for the extensive forest of Glentanner, towards which the flames were approaching, particularly if the wind had veered to the south-south-east.

A part of Mabie moss had been on fire for several days past, and amidst all the exertions that were used by Mr. Howat and his people, the progress of the devour-

ing element was not arrested for some days. How the fire originated nobody can tell, but already half an acre of meadow and several roods of hedges were totally destroyed.

26. FUNERAL OF THE EMPRESS ELIZABETH OF RUSSIA.—At page 35 an account has been given of the splendid ceremonial of the funeral of the emperor Alexander, and now, three months afterwards, the Russian capital witnessed a similar display of mournful pomp, as exhibited at the obsequies of his imperial widow, Elizabeth Alexievna, who died at Bielev, on her route from Taganrog to Moscow, on the 18th of May, in her forty-eighth year, having never recovered from the deep affliction she experienced at the loss of her august consort. At five o'clock in the afternoon of the 26th, the funeral procession entered St. Petersburg, where it was received with every honour due to the rank of the deceased, and with every demonstration of sincere sorrow, by the immense throngs assembled to behold the grand, but melancholy, spectacle. As soon as the procession arrived at the city barrier, it was met by the imperial family, the members of the holy synod, the high clergy, the clergy of the court, and the ladies of the order of St. Catherine, appointed to attend the funeral car, the military governor-general, the commandant, and their aides-de-camp and officers under their orders. His imperial majesty, accompanied by a numerous staff, all on horseback, had also arrived to receive it. After the prayers for the dead were recited, the solemn march commenced; all the bells tolled the funeral knell, and minute guns were fired from the fortress, and



from some cannon which were placed on the Aboukhoff bridge. The procession was divided into sixteen sections, each preceded by a master of the ceremonies on horseback, wearing a crape scarf, white and black. The general arrangements were the same as those at the emperor's funeral: the same car was employed as on that occasion, without any other alteration, than adding the empress's cypher to that of her consort. The recollections awakened in the minds of all present by the sight of this vehicle of mortality, were heightened by the affecting spectacle of a long train of the *élèves* of the Female Patriotic Institution, and other female public schools, who, arranged in deep mourning, and forming four ranks, followed the military part of the procession. Immediately behind the car, was the late empress's own state carriage, adorned with a crown, and drawn by eight horses, in most splendid gilt trappings. By eight o'clock the procession reached the cathedral of St. Peter and Paul, and at the same instant a black standard was hoisted at the fortress. It was here, and not in the Kasan church, that the body was to lie in state. A sumptuous catafalco had been constructed under the direction of M. Monferand, combining simplicity with magnificence: where, beneath a purple canopy emblazoned with silver stars upon a gold ground, were deposited her imperial majesty's remains, for the space of a week, during which period service was performed twice every day, and a guard of honour, composed of ladies of high rank, stationed around the body day and night. On the morning of the 3rd of July, the final ceremonies took place; at a little after eight,

the emperor and empress arrived at the cathedral, accompanied by his imperial highness the hereditary grand duke, his royal highness prince Charles of Prussia, duke and duchess of Wurtemberg, and the princes their sons. When their majesties had taken their places on the top of the catafalco, the usual prayers for the dead, according to the ritual of the Eastern Greco-Russian church, were read over the corpse; after which the members of the imperial family paid their last tribute to the mortal remains of her late majesty: then the great officers of the court appointed for that duty mounted the catafalco, removed the coffin, and, preceded by the metropolitan and the clergy, carried it towards the tomb, into which it was let down with the usual formalities: and a discharge of artillery announced to the inhabitants that the mortal remains of their empress were consigned to the tomb.

28. ELECTION OF AN ALDERMAN.—The lord mayor proceeded in state to St. Botolph, Aldersgate, where he held a wardmote, for the purpose of electing an alderman in the room of the late alderman Cox, when sir Peter Laurie, who lately served the office of sheriff for London, was unanimously elected.

30. THUNDER STORM. — A thunder storm passed over the northern suburbs of the metropolis, and did considerable damage. Judging from its effects, the storm extended about two miles and a half in breadth, reaching at one time from the New Road to the crest of Hampstead Hill. At a quarter to three, the tempest was at its height. Two dense clouds were seen approaching each other, and midway between Primrose Hill and Highgate, they came in



contact. The effects of the collision were awful—vivid lightning, peals of thunder, and the heaviest shower of hail, ever witnessed in that neighbourhood, immediately succeeded. The hail-stones were as large as pigeons' eggs. At the two mile stone on the Hampstead Road, the storm was at its height. In the gardens of Mr. Money, nearly opposite Chalk Farm, upwards of 200*l.* worth of glass was broken: in Mr. Brown's garden, a short distance higher up the hill, the destruction was more complete, almost every square of glass, many thousands in number, in his extensive green-house, was destroyed, together with most of the valuable plants. The extent of Mr. Brown's loss is said to be at least two thousand pounds. The storm continued its course in a north-easterly direction, crossing Highgate, and could be traced in its progress from Hampstead Heath for several hours. At St. John's Wood, Mary-le-bone, it raged with the utmost violence, and in a short time all the extensive gardens and nursery grounds in that vicinity presented a scene of frightful devastation.—Every green-house, hot-house, and all the glass used in the gardens, were in an instant broken to atoms. A gentleman residing at the corner of Hall Place, Circus Road, had 2,000 squares of glass broken; Mr. Anderson, florist, Pine Apple Place, 30,000 squares; Mr. Bell, Grove End Road, 2,000 squares; Mr. Atkinson, Grove End Road, 10,000 squares; Mr. Jenkins, Portman Nursery, upwards of 50,000 squares; Mrs. Hogg, Grove End Road, 3 or 4000 squares. The green-house of Mr. Faithful, which was filled with the choicest plants, had every

square broken, and the plants beaten to pieces. Many private houses also were much injured, the windows being broken, and the fruit in the gardens completely destroyed.

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## JULY.

1. DETERMINED SUICIDE.—An Inquest was held at Wyberton Roads, before C. Mastin, Coroner, on the body of John Dickinson, who was found in a silt-pit with his throat cut, the day preceding.

The body presented a shocking spectacle, being entirely drenched with blood. On comparing one of the deceased's shoes with the foot-marks visible in the pit, no other footstep but his own could be traced. It appeared by the track of blood, that the deceased, after stabbing himself with a knife, thrust the instrument into the sand; he then walked round the bottom of the pit, and, on his return to the entrance, drew the knife out of the earth, and, seating himself on the opposite side of the pit, he then inflicted the wound which terminated fatally, and again thrust the knife into the earth, where it was found.

The body was accidentally discovered in a kneeling posture; and, from the great quantity of blood on the spot, it was evident that the deceased had bled very profusely.

The knife was identified to be the property of the deceased, which he had purchased about a week previously.

The cause of his suicide was attributed to the deceased having entered upon a farm at Fishtoft at Lady-day last; since which time



the season had operated very prejudicially to his exertions, and some serious losses had befallen him. Verdict—*Insanity*.

**ELECTIONEERING DUEL.**—In consequence of some words which had passed on the hustings at Alnwick, between Mr. Beaumont, one of the candidates for the county, and Mr. Lambton, a friend of another of the candidates, lord Howick, these gentlemen met at four o'clock in the afternoon, on the sands at Bamborough. Twelve paces were measured off as the distance, when the principals took the ground, and fired almost at the same moment. Captain Plunkett was proceeding to re-load Mr. Beaumont's pistol, when general Grey stepped up to him and said that enough had been done for the honour of the parties, and that Mr. Lambton had never thought of requiring an apology. Captain Plunkett replied that his friend was there for the purpose of giving satisfaction, but that, if general Grey thought proper to withdraw Mr. Lambton, he (capt. P.) must necessarily withdraw Mr. Beaumont. Mr. Lambton was then withdrawn, and here the matter terminated. The following is the official statement, signed by general Grey and captain Plunkett:—

“In consequence of some language which occurred on the hustings at Alnwick, yesterday, a meeting took place this afternoon, at Bamborough, between John George Lambton, esq. M.P. and Thomas Wentworth Beaumont, esq., when, after an exchange of shots, the affair terminated to the satisfaction of the seconds.

“1st July, 1826.”

**THE DROUGHT.** — *Stockholm*. The heat and drought have lasted here for at least seven weeks with

extreme intensity. All hope of a crop has vanished: the trees in our gardens are without fruit, almost without foliage—the fields show no trace of verdure, and the ears of corn, parched by the sun, visibly waste away. Conflagrations have burst out in two different forests—the one within two, the other within three, miles of the capital.

From Copenhagen, also, there are great complaints of excessive heat.

**SEA SERPENT.**—“Ship Silas Richards, June 17, 1826. Lat. 41, 03, long. 67, 32. While standing on the starboard bow, looking at the unruffled surface of the ocean, about seven o'clock P.M., I perceived a sudden perturbation of the water, and immediately an object presented itself with its head about four feet above the level, which position it retained for nearly a minute, when he returned to the surface, and kept approaching abreast of the vessel at a distance of about fifty yards. I immediately called to the passengers on deck, several of whom observed it for the space of eight minutes as it glided along slowly, and undauntedly passed the ship at the rate of about three miles an hour. Its colour was a dark dingy black, with protuberances; its visible length appeared about sixty feet, and its circumference ten feet. With former accounts which have been given of such a monster, and which have never been credited this exactly corresponds, and I have no doubt but it is one of those species called Sea Serpents; it made a considerable wake in the water in its progress.

I remain your obedient Servant,  
HENRY HOLDREGE, capt.”

The foregoing is attested by the



following gentlemen, passengers: —W. Warburton, of Pentonville, England; Duncan Kennedy, Thomas Austin, of Clifton, England; Lovell Purdy, Thomas Siveter, and James Magee, of New York.

2. SINGULAR SUICIDE. — On Wednesday last, William Hyde, of Hasfield, Gloucestershire, a poor man, who had for some time been subject to fits of insanity, climbed up into a pear-tree, and making his way along a limb extending in a lateral direction, fixed his neck firmly in a forked branch, and then threw his body over, in which position he was discovered quite dead. An inquest was held before John Cooke, esq. Coroner, when a verdict of Insanity was returned.

3. DEATH BY LIGHTNING. — On Monday, a party of friends, among whom were the eldest son and three daughters of Joseph Hill, esq. of Lindridge, on the borders of Gloucestershire, and several other young ladies who were on a visit to them, had agreed to form a gipsy party, to perambulate the beautiful range of Malvern hills, which commence about two miles from Mr. Hill's residence. They were accompanied by a servant-man, with a light cart, furnished with provisions, &c. for their excursion. About three o'clock they had reached the Worcestershire beacon, on which is a building erected by lady Harcourt, for the accommodation of persons walking on the hills. A storm came on suddenly, and the young ladies were much alarmed at the vivid flashes of lightning which rapidly succeeded each other, and peals of thunder which seemed to shake the rocks on which they stood. The building is of stone, and the roof

covered with iron; there was a stone table in the middle of the room, and seats on each side, with a window opposite the door-way. The party were inside; Miss Eliza Hill, her sister Johannah, and a Miss Woodward, from Hereford, were seated at the table; the others walking about. Miss Margaret Hill, a young lady about fifteen years of age, being much alarmed, was looking out at the door-way to see if the storm had passed, when she observed the electric fluid (which no doubt was attracted by the iron roof) appearing as a mass of fire rolling along the hill and approaching their retreat; she attempted to run out, but was instantly thrown with violence to the ground; her shoes and part of her dress much burnt; her brother, who was near, shared much the same fortune.

The electric fluid entered at the door, shivered the stone table to atoms, and many large stones in the wall, and passed through the window, removing the window frame and stone-work about it. Two of the young ladies, Miss Eliza Hill and Miss Woodward, were struck dead. Miss Johanna appeared in the same state; medical aid being procured, and, some signs of life appearing, she was bled, and removed to the Unicorn Inn, at Malvern. The three were all burnt on the face, neck, and breast, their hair burnt off one side of the head, and part of their clothes destroyed. All the other ladies were in a slight degree injured by the electric fluid. A labouring man at work a short distance from the place was attracted to the spot by the screams of the man-servant; and he rendered what aid he could, till other assistance arrived.



**LIBEL IN AMERICA.**—*Root v. King and Verplanck.*—At the Delaware circuit, lately held by judge Betts, came on a long pending libel suit commenced by Erastus Root against Messrs. King and Verplanck, the editors of the New York American, who charged him with being drunk when lieutenant-governor, and while presiding as president of the Senate, on the 5th of August, 1824, in the afternoon session. The publication was admitted by the defendants, and they gave notice that they would justify by proving the facts charged. The publication having been admitted, Mr. Blunt, as counsel for defendants, opened their case, by stating that it would be proved that the plaintiff was drunk at the time specified, and that testimony would be produced to show that he was habitually intemperate. What followed was something like the trial of a horse cause in England: eight witnesses swore the judge was drunk at the time stated in the publication, and ten witnesses swore he was sober. In the course of the trial much diversity of opinion was expressed as to what state of excitement amounted technically to intoxication, varying in degree from that of unsteadiness of gait, impediment of utterance, &c. up to that of being speechless and unable to walk, sit, or stand. The learned judges appeared to be of opinion, that, so long as a man was possessed of his mental faculties, he could not be considered as drunk. The jury were out all night; and at seven o'clock on Thursday morning sent for the judge to explain more distinctly his charge. The judge in the presence of the parties, and a great number of spectators, then reiterated the doctrine laid down in his

charge the preceding evening, when the jury were again left to themselves, and at nine o'clock came into the court with a verdict of 1,500 dollars for the plaintiff.

**IRISH ELECTION RIOTS. RIOT AT TRALEE.**—During the contested election for the county of Kerry, Tralee was kept in perpetual uproar by unceasing contests between the adherents of the opposing parties. But on Sunday evening, a number of lord Ventry's friends having been attacked with stones, and other missiles, by a mob who supported by their clamours a candidate of a different party, the riflemen who had been called out were ordered to fire.

Daniel Sullivan, aged 56; Eugene Sullivan (son of the above), aged 17; James Breen aged 15; Owen Cournane, aged 19; and Richard Williams, aged 34; were killed, and thirteen persons were wounded, three of them dangerously. An inquest having been held on the bodies of the two Sullivans, the jury found that the order to fire had been "unnecessary and unjustifiable."

The contest for the county of Galway likewise occasioned bloodshed. While a party of gentlemen on the side of Mr. Lambert were dining at a hotel, they were informed that a body of freeholders in that interest had been attacked by a mob of the partisans of Mr. Martin, the opposing candidate. In consequence of this they sallied forth to the street; and, in the scuffle which followed, one of them discharged a pistol, by which a man of the name of Sullivan was killed upon the spot. The coroner's jury brought in a verdict of murder against Thomas D. Lambert as principal, and against James W. Browne, David Wilson, the hon,



Denis Bingham, and two Mr. O'Connors, as accessaries.

4. MONUMENT TO GRANVILLE SHARP.—Mr. Granville Sharp's bust was placed by Mr. Chantry in the Council room at Guildhall. The right honourable, the lord mayor and sheriffs were present, attended by the city marshals, Mr. Prince Hoare, Mr. Tooke, Mr. Hick, deputy Routh, Mr. Jones, Mr. Favell, deputy Daw, and several of the city officers. The following inscription is engraved on the slab below the bust:—

GRANVILLE SHARP:

To whom

England owes the glorious verdict of her  
Highest Court of Law,

that

The Slave who sets his foot on  
British Ground

Becomes at that instant  
FREE.

DROUGHT.—At present, Loch Tay discharges no water by the bed of the river Tay. It is not remembered by the oldest inhabitant in that quarter, that they have at any prior period seen a less body of water than three feet deep issuing from the Loch by the Tay, in any season—thus the evaporation from the Loch has this year exceeded that of any known season, by about 180,124,560 cubic feet.

10. CONFLAGRATIONS ON THE MOORS OF YORKSHIRE.—From causes which have not been ascertained, but to which the unexampled long continuance of unprecedented drought supplies constant fuel, the moors have taken fire, and without abundant rain, are not likely to be speedily extinguished. Large tracts of sheep walks have been entirely destroyed. The fires have not only spread over a wide extent of surface, but have burned to a great depth, consuming not only the moss, but the peat

underneath. In some places, where they reach a soft substratum, they run to a great length under ground, and break out at the surface at other spots. The flames and smoke together present a most formidable and imposing appearance from any of the high grounds from which a view of them can be obtained. Hawkesworth Moor is entirely destroyed. On Ilkley Moor, 500 acres are burnt. There is no hope of any part of Bingley Moor being saved. Burley Moor is on fire, and is partly consumed. Thornton Moor is entirely destroyed, and with it all the young plantations, which cost upwards of 2,000*l.* in planting. Oaksworth Moor is entirely burnt. Ovendon Moor, Holme Moss, Burnsall Fell, Hebden and Grassington Moors, are on fire.

CONFLAGRATIONS IN ABERDEENSHIRE.—The fire commenced more than a fortnight since, upon the lands of the hon. William Maule; and no great apprehensions from it were entertained at Aboyne until about Friday week, when it began to assume a more alarming appearance, while the approach of it to the northward from Glenesk, &c. became so rapid, that, on the Saturday and Sunday following, it was deemed necessary to endeavour to arrest its progress: and this, at the time, appeared to have been effected. A breeze of wind, however, springing up on Tuesday, the fire broke out with greater violence than before, and was seen coming over the Cock Cairn, and making in a straight line for the forest of Glentanner, at the rate of nearly three miles an hour. It was now considered absolutely necessary to call out the people of the whole of the adjoining country. The



muster soon became general, to the number of about three hundred men, and with the greatest perseverance and labour, the flames were happily got under when within only a few hundred yards of the straggling trees in Glentanner. The most effectual mode of stopping the fire was found to be by using boughs of trees, and, as it were, smothering the flames; and this course was pursued over a line of several miles in extent, the principle inconvenience felt being the great heat and denseness of the smoke, which obliged the men to relieve each other almost every minute. Lord Aboyne's tenants, his lordship's officers at the castle, the workmen at the saw-mill in Glentanner, as well as many others from Kincardine, who readily volunteered their services, by their united exertions not only saved the forest of Glentanner, and the other valuable plantations belonging to lord Aboyne upon the south side of the Dee, the whole of which must have inevitably perished, if their exertions had proved unsuccessful. A strong force is placed upon the hills, day and night, in order to watch the heated embers. Fires still continue to rage upon the surrounding hills, particularly towards Mount Keen, Glenmuick, and the Cock Cairn. This calamity will prove most destructive to the game. Many of the old birds were observed falling down in the midst of the smoke, while the young ones were heard chirping amongst the burning heather, quite unable to escape.

**PORTER BREWERIES.**—A statement of the quantity of porter brewed in London, by the eleven first houses, for the last two years,

ending the 5th July, 1825, and the 5th July, 1826.

	Year ending 5th July, 1825. Barrels.	Year ending 5th July, 1826. Barrels.
Barclay, Perkins, and Co. .	357,446	380,180
Truman, Hanbury, and Co. .	223,766	211,521
Whitbread, and Co. ....	203,842	202,070
Reid, and Co. ....	190,252	172,460
Combe, Delafield, and Co. .	146,743	139,385
Henry Meux, and Co. ....	108,948	100,142
Calvert, and Co. ....	105,206	100,126
Hoare, and Co. ....	63,883	66,156
Taylor, and Co. ....	36,136	62,424
Elliott, and Co. ....	61,905	59,389
Campbell, and Co. ....	12,380	11,778

### 13. EXPLOSION AT COWES.—

Forty-five casks, containing gunpowder, and many of them ball-cartridges, were being removed from Albany barracks on a truck to Dodnor-hard, for the purpose of being shipped on board the Pitt ordnance vessel, for Portsmouth; when an explosion took place, supposed to have proceeded from one of the horse's shoes striking fire on some loose powder which fell on the ground, owing to the casks not being properly coopered, and killed George Mundell (who has left a wife, expecting daily her confinement), owner of the truck, and James Purvis, one of the crew of the Pitt, who has also left a wife in a state of pregnancy, and five young children. The drayman and two soldiers were carried to the hospital in a very dangerous state. Both horses were killed; part of the thill horse was actually blown across the Medina river, leading from Cowes to Newport. The beautiful mansion of Dickens Buckell, esq., of Dodnor, was almost blown to atoms; the doors and windows, the ceilings and the roof of the house destroyed; the family were at dinner, and all were slightly injured, but none seriously. Other houses at Dodnor were injured, and some boats which were lying in the river were pierced with balls. The shock was heard at Cowes, Ryde,



Shanklin, and other parts of the island. The coroner's inquest returned the following verdict: "Accidental Death, owing to the ammunition being conveyed on an improper truck."

**ELECTION OF SCOTS PEERS.**—Thursday the election of sixteen peers, to represent the Scottish nobility in the ensuing session of parliament, took place at Holyrood-house. Their lordships were attended by Hector Macdonald Buchanan, and Colin Mackenzie, esqrs., two of the principal clerks of session, in virtue of a commission from the lord clerk register of Scotland; by the rev. Dr. Grant, of St. Andrew's church, one of the deans of the chapel royal; and the rev. Principal Macfarlan, of Glasgow, one of his majesty's chaplains for Scotland; and by other official gentlemen. The lord provost and magistrates were also present. The votes having been counted, the following sixteen noblemen were declared duly elected, viz.:—

	Votes.
Charles, marquess of Queensbury	56
George, marquess of Tweeddale..	56
William, earl of Errol .....	55
Alexander, earl of Home.....	53
Thomas, earl of Kellie.....	50
Thomas, earl of Elgin.....	54
Archibald, earl of Rosebery ....	56
John, viscount Arbuthnot .....	49
James, viscount Strathallan ....	55
James, lord Forbes .....	51
Alexander, lord Saltoun .....	57
Francis, lord Gray .....	56
Charles, lord Sinclair .....	49
John, lord Colville of Culross....	45
William, lord Napier .....	54
Robert, lord Belhaven .....	43

Votes were also given for—

William, earl of Northesk .....	37
Robert, lord Blantyre .....	1
Eric, lord Reay .....	17
John, lord Rollo .....	25

Lord Blantyre was not a candidate.

The clerks having certified the return of the noble lords to Chan-

cery, in presence of their lordships, the business was closed with prayer by the rev. Dr. Grant.

At the election in 1818, there were 58 voters, viz.: 27 present, 3 proxies, and 28 signed lists. Thursday there were exactly the same number of voters, 58; of whom 25 were present, 6 proxies, and 27 signed lists.

The election took place, as usual, in the Picture Gallery, and was numerously attended.

**15. CAMBRIDGE RIOT AND ASSAULT.**—John Simpson Redhead, Charles Willimott, Samuel Bowman, James How, William Glover, Robert Burrows, Charles Edwards, and James Raby, were indicted, at the instance of the University, for having riotously assembled, in company with others, on the 5th of November last, and with having violently assaulted the proctors, the moderator, and others, in the discharge of their duty.

The Rev. Henry Venn, M.A., Fellow of Queen's-college, and junior proctor of the University, deposed, that, on the 5th of November last, at about half-past nine, he left his college, in consequence of hearing that there was a riot near the senate-house; upon reaching the spot, he found two or three hundred persons assembled, many of them gowmsmen; squibs were thrown at him from the part where the townsmen stood; shortly afterwards, he heard a loud shouting on the Market-hill; he was proceeding in that direction, and had arrived as far as the posts in St. Mary's-passage (in company with Mr. King, the moderator), when he heard a person exclaim, "Here they come, now for it." Two men immediately rushed from the crowd in a



fighting attitude ; and one of them struck him a hard blow upon the temple, which obliged him to recede a few paces. Witness said to those near him, that he was the proctor, and he hoped they would not insult an officer of the University ; witness then perceived that Mr. King was struggling with a townsman, who was secured and identified ; witness remonstrated with the gownsmen, and they began to disperse immediately ; he advised the townsmen to go home, but they would not attend to him ; he went down Trinity-street, and found that several gownsmen had taken refuge in a door-way near the Sun Inn, surrounded by a large mob ; the gownsmen appeared much terrified. After he had succeeded in getting them away, he found that some others had gone into the Sun yard, and that the gates had been shut ; the mob forced the gates, and rushed into the yard with great violence ; he was soon afterwards surrounded by a mob of townsmen, and struck and kicked several times. Mr. King and witness then addressed the crowd, and assured them, that there was not a single undergraduate left, and advised the townsmen to disperse ; the mob rushed upon them, and used very insulting language ; they asked them if they had “ put all their babies to bed ; ” and used other expressions of an offensive description. Witness and Mr. King proceeded towards the Market-place, and the mob followed, hissing and hooting, and pelting them with mud and dirt ; some stones were thrown at them. Witness went towards his college ; when they reached Trumpington-street, he found that the fury of the mob was directed towards one of the

proctor's men, named Cockerell, whom witness advised to go home privately as soon as he could escape ; the man did so, but the mob ran after him ; witness was in the crowd for three hours ; cannot say how many were assembled at any one time, but the crowd was very dense.

Joshua King, esq. the moderator, and the rev. N. J. Temple, the senior proctor, corroborated the testimony of Mr. Venn ; and several witnesses were called to identify the prisoners.

The learned judge summed up the evidence, and the jury immediately returned their verdict, acquitting Willimott, and finding all the other defendants guilty.

The lord chief justice, after commenting upon the shades of difference in the guilt of the prisoners, and making some severe remarks upon their cowardly and dastardly conduct, in selecting the proctors, who were alone and unprotected, as the objects of their spite and malevolence, proceeded to pass sentence upon the prisoners, as follows : Redhead to be imprisoned twelve months ; Raby, six months ; Bowman and How, three months each ; and Glover, Edwards, and Burrows, one month each ; and, at the expiration of their various periods of imprisonment, all the prisoners were respectively to enter into recognizances to keep the peace for three years, themselves in 50*l.* and two sureties in 10*l.* each.

15. MEETINGS IN MANCHESTER.—On Wednesday evening, between seven and eight o'clock, upwards of 1,000 people collected in the vacant ground, near St. George's-road, and remained assembled about an hour, during which time some very inflammatory ad-



dresses were made to them by two men, one a delegate from Leigh, and the other a resident in Manchester. The former told the people that they had borne their sufferings long enough, and must now do something to put an end to them. He urged them to meet in greater numbers; that all who could find arms should bring them; that the others should arm themselves at the gunsmiths' shops; and that they should then help themselves at the provision shops and the banks. The other speaker addressed the people to nearly the same effect, and they separated soon after eight o'clock, with an understanding that they were to meet again on the following night. They, consequently, assembled in greater numbers on Thursday evening, about the same hour, when speeches of a similar character to those uttered on Wednesday were again addressed to them, but by different persons. One man was particularly violent. He strongly exhorted the people to come the next night armed. A man in the crowd lifted up a large bludgeon, and asked if they were to arm themselves in that manner. The speaker replied, that would do for those who could not get better weapons; but they must get possession of the gunsmiths' shops and the barracks; they would then be masters of every thing, and could help themselves to what they wanted. The meeting broke up about half-past eight. The greater part of the people turned along Cropper-street, into Oldham-road, where it happened that colonel Kearney, of the 2nd dragoon-guards, and major Eckersley, were riding, attended by a single dragoon. As soon as the mob perceived those officers, they pursued them towards New Cross, hooting, and,

in one or two instances, throwing stones at them, but without doing them any injury.

Last night, a much larger number of persons, amounting probably altogether to between four and five thousand, assembled, about eight o'clock, not in St. George's-road, but on a vacant piece of ground opposite Mr. James Kennedy's factory. After some time spent in making a ring, an Irishman, dressed in a short frock, was appointed chairman, and addressed the people for about half an hour. In the first place he called upon the delegates, who had gone to Blackburn on the preceding day, to step forward into the ring, and state the result of their mission. No delegates, however, made their appearance; and, after a short pause, he called for the man who, he said, had accompanied him to Ashton-under-Lyne; but, as he also was not forthcoming, the chairman proceeded to address the meeting with a good deal of vehemence, telling them that the weavers of Ashton were brave fellows, who were determined to have their rights, and would not run away like the weavers of Manchester, whom he stigmatized as cowards. After a long harangue, he told the people that he expected they would have come with something like this (holding up a stick) in their hands; but they had disappointed him, and therefore he would conclude his speech. Another person then stepped forward, and said, he was unfortunately under sureties to keep the peace, or he would have addressed them as boldly as any man; but if he were to say any thing, it might cost him a great deal of money. He would, however, observe, that they, no doubt, thought themselves oppressed, and men who were op-



pressed had always a right to stand up for themselves. The incessant efforts of so large a body of people to hear what passed caused the ring to be broken in, and the people then separated.

A posting-bill, of which the following is a copy, was circulated:—

PUBLIC NOTICE.

We, the undersigned magistrates for the county of Lancaster, have observed, with great regret, that certain evil-disposed persons, strangers in Manchester, have, within the last few days, been endeavouring to excite the peaceable and well-disposed inhabitants, by inflammatory language and addresses, to acts of outrage and insubordination; and, in furtherance of their wicked object, have given notices of public meetings to be held in the evenings of several days in the present week, at which such strangers have been the principal speakers, and the meetings have been protracted to late hours of the night;

Now, we do hereby declare our opinion, that all such meetings are illegal, as having a manifest and direct tendency to a breach of the peace, which it is our duty to protect.

We, therefore, caution all persons not to attend any such meetings, nor in any respect to be induced, by the wicked and mischievous, to engage in proceedings, which must bring upon them all the consequences attending such illegal conduct.

Given under our hands this 15th July, 1826,

*New Bailey Court-House.*

J. NORRIS,  
J. SILVESTER,  
JAMES BRIERLEY,  
J. HIBBERT,  
J. FOSTER.

LIMBERG.—Yesterday the great tower, known by the name of the Town-hall Tower, built in 1491, fell down. Only a few persons were killed, among whom were the daughter of the keeper of the tower, a girl of 15, and two grenadiers of the garrison, whom curiosity had attracted to the spot. Little other mischief was done, because the indication of the danger, which appeared in the course of the day, had attracted the attention of persons in the neighbourhood, who were all prepared for flight. The tower fell in the manner least calculated to do injury. The tower walls gave way, and the upper part of the building sank down in the centre, filling up the space, and what there was not room for fell into the square on the west side, where the hackney coaches usually stand; but they had been removed on account of the building of the Town-hall. For a short time, however, the citizens were in great anxiety, because the vast cloud of dust made it impossible to see what damage had been done. The great bell has been found uninjured among the rubbish.

RIOTS IN LANCASHIRE.—*Middleton 16 July.*—About twelve o'clock last night the inhabitants of this place were surprised by the sudden appearance of 250 or 260 men armed with sticks and bludgeons. At the time of their arrival every thing was going on as usual; shops and public houses were open, and people were looking after their ordinary concerns. But the unexpected intrusion of these strangers caused an instant change in the appearance of things—every body was filled with amazement or alarm. The rioters came from towards Manchester, and halted in



the Market-place. Some of them were heard to say, "Here are shops, we can help ourselves to provisions; and here are shoes, let us each get a pair." They came in military array, and halted in their ranks, at the word of command. By their speech, their leaders were known to be Irish. One man spoke aloud, and said, "If any honest man is prepared with arms, and disposed to join us, he will be made welcome"—but nobody came out—not one inhabitant of Middleton joined them. Presently a noise was heard, and a cry that the soldiers were coming. Some then left their ranks, but the main body passed up Wood-street, and retreated across a place called Archer-park, and the Great-Park, into the old road to Manchester, by which rout they escaped. A party of the Queen's bays, now made their appearance, accompanied by two magistrates, the Boroughreeve of Manchester, and several constables. Nothing, however, was now left for them to do, but to look after odd stragglers, two of whom were taken and conveyed to Manchester, having confessed they came with the mob. Three others were taken by a watchman. After the retreat of the rioters, the soldiers paraded the streets and lanes, and were received at several places with hooting and shouting, and other expressions of disapprobation, but no stones were thrown, nor any violence offered.

18. DROUGHT.—"*Warsaw*. We have not experienced, in the memory of the oldest inhabitant, such excessive heat as we have had this year. In 1821, the heat was of longer continuance, but did not rise to 27 (95). The Sardinian ambassador to the Russian court, when he passed through this city,

declared that he had never felt such heat, even in Italy. The state of the atmosphere does not alarm us, as we have rain from time to time; but the rivers are so low, that all communication by water is suspended."

SUPERSTITION.—*Tralee, July 24*.—Ann Roche, a woman of very advanced age, was indicted for the murder of Michael Leahy, a young child, by drowning him in the Flesk. The case turned out to be a homicide committed under a delusion of the grossest superstition. The child, though four years old, could neither stand, walk, nor speak (it was thought to be fairy struck), and the grandmother ordered the prisoner and one of the witnesses to bathe the child every morning in that pool of the river Flesk where the boundaries of three farms met; they had so bathed it for three mornings running; and, on the last morning the prisoner kept the child longer under water than usual, when her companion (the witness) said to the prisoner, "How can you hope ever to see God after this?" to which the prisoner replied, "that the sin was on the grandmother, and not on her."

Upon cross-examination, the witness said it was not done with intent to kill the child, but to cure it—to put the fairy out of it. To the policeman who apprehended her, on charging her with drowning the child, she said it was no matter if it had died four years ago. *Verdict—Not Guilty*.

AEROSTATION BY NIGHT.—"About seventeen minutes past ten o'clock," says Mr. Green, "I ascended from the gardens in Vauxhall. On quitting the gardens we kept nearly in a line over the Thames for about two miles. We crossed



the river thrée times. Notwithstanding the clouded state of the atmosphere, and being deprived of the light of the moon, we could distinctly see the earth, but we determined not to hazard a descent, until we had cleared the windings of the river, because, if there had been a strong wind, we should have been dragged into the stream. We could easily discern the cultivated from the uncultivated land. In Battersea and Wandsworth, where the wheat was ready for cutting, it appeared like sheets spread on the ground. The ploughed land was darker. The trees appeared perfectly black, and the buildings were of the same colour. Of the bridges we could command a good view; those which were ornamented with gas or other lights, appeared like a row of lamps resting on the river. Battersea and Putney-bridges, which are not lighted, appeared like dark planks stretching over the water. Before I quitted the earth, I had provided myself with one of sir Humphry Davy's safety lamps, to enable me to make any experiment in the air. Supposing gas to escape, it would mix with the atmosphere around the car, and form a compound air highly explosive. For this reason I took the safety lamp, because there is no danger of combustion when the lamp is in use. On quitting the earth, the barometer stood at 29 4-10ths, and when we had arrived at our greatest altitude, which was three quarters of a mile, it subsided to 25 2-10ths. We were not anxious to attain a great elevation, but were desirous to avail ourselves of the first favourable place for landing, and to return immediately to the gardens. In the evening, when the first pilot balloon was launched, it took a di-

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rection E. by S. but when at the elevation of half a mile, it came into another current of air, which carried it W. by N. At nine o'clock in the evening, three more pilot balloons were launched, two of these went in the direction W. by N., shewing that the current of air which the first pilot balloon fell into was operating on the earth's surface.—Our direction was W. by N. We effected an easy landing in a ploughed field, on king George's Farm, Marsh-gate, Richmond. A horse-patrole was the only person on the spot, but on account of the dead calm which prevailed, we required no assistance."

26. EXTRAORDINARY CASE.—An inquest was held at Maidstone on the body of Samuel Luttal, a soldier in the 6th Dragoon Guards, who had been committed to gaol for deserting from that regiment.

Mr. John Taunton—Is assistant to Mr. Whatman, the surgeon to the gaol. Saw the deceased in his ward on Saturday about noon; he was then in a state of locked jaw, arising from a wound in his finger inflicted by Peter Meily. Meily was a soldier who had marched on Tuesday, the 25th, to join the dépôt of his regiment in the Isle of Wight. He immediately ordered him to be removed to the hospital, and attended him there and bled him. During the latter operation, he perceived that one of the deceased's fingers was injured; and, on examining the right hand, found that the third finger had received a severe wound. Deceased, said he had received it from a block in Chatham Dock-yard. It was evident, that the finger had been cut, and the incision extended to the bone in a transverse direction, separating the tendons, and by some means the



joint was displaced. Witness told the deceased, that this wound was the cause of the locked jaw. Saw him again in the evening, about eight o'clock, when he was evidently worse. Deceased asked witness, if he were out of danger, who told him he was not. Saw him again in the morning, when he was still worse, and he died in an hour and a half afterwards. Death was occasioned by the locked jaw, produced by the wound in the hand.

Thomas Walker is a prisoner in the gaol, and was appointed to take charge of the deceased when he came into the hospital. About one o'clock on Sunday morning he became much worse, and was evidently alarmed. He told the witness that he would tell him all about it. He then said that Meily, of the 69th regiment, had cut his finger with a razor on Monday, that he had cut another man of the 39th regiment before, and procured his discharge, and that he had let him cut his finger. About four hours after, he asked for the minister to come and pray with him. He died about ten o'clock, and was sensible till within a minute and a half of his death.

The jury returned the following verdict—"We are of opinion that the death of the deceased was occasioned by lock-jaw, in consequence of a cut in his finger, inflicted by Peter Meily, not with a malicious intent, but only with a view to procure the deceased's discharge from the 6th regiment of Dragoon Guards, and with his own consent."

CAVERN IN YORKSHIRE.—A cavern of very extensive area was discovered a few days ago at Bramley, a village in the neighbourhood of Leeds. Mr. Wm. Far-

rar, a cloth miller of that place, had determined upon sinking a well at the rear of his premises, called New York, and employed some labourers for that purpose. The workmen, about nine yards below the surface, while pursuing their object, came to some ragstone, which required blasting. The ragstone forms a solid rock, and was blasted for about five yards in depth, when one day last week, a workman having lodged a charge of gunpowder, and set fire to the train, retired as usual to the surface. While he was aloft the charge exploded, but, on looking downward, after the smoke had cleared away, he thought he perceived that the stony fragments, which he expected would have risen somewhat higher than before, had fallen lower. On observing this singular result, he descended in the scoop, and having found the stones actually fallen, as he supposed, he then called to another workman, his partner, and to Mr. Farrar himself, to come to him. They accordingly descended, and all three began to search about, and to endeavour to ascertain the nature of the hollow, which they had now unexpectedly come into, though they were afraid of entering too far, until they should be better assured of the safety of so doing. They at length discovered that they were in a part of a large cavern, but more attracted by solid utility than airy speculation, they pursued their labours, and paid little regard for the present, to the novel and curious situation in which accident had placed them. They got the blasted fragments disposed of, and continued blasting for some two yards below the bottom of the cavern, till they found



themselves penetrating a hard compact body of iron stone, when they desisted in toto from this undertaking. But, in the mean time, the report of the discovery of the cavern having been spread, persons examined it with lamps and candles, who found it to be a sort of labyrinth within. The sides of it consist, in some cases, of a rough mason-work sort of wall, by which the rocky roof is upheld. Elsewhere, the roof is upheld by a great number of pillars. No clay or water has been found at the bottom of the cavern, but there is on the floor a quantity of bones. The cavern is supposed, by some of those on the spot, to have been only a sort of subterraneous delf or stone quarry, and the bones in it the bones of the horses that were employed in drawing out the stone. Mention is made in the neighbourhood, that, within seventy years, stone has been gotten at the place. The depth, from the surface above to the floor of the cavern is mostly about 17 yards.

29. **DISTURBANCES IN THE COLLIERIES.**—Last week the colliers in the neighbourhood of Dudley struck, in consequence of the masters reducing their wages. They have since proceeded to acts of violence, and it has been found necessary to order out the yeomanry. The men whose wages were reduced had, for some days, committed many acts of violence, and held such menacing language towards their employers, that it was deemed an act of necessity to call out the Himley troop. On Thursday, a body of some hundreds, after scouring the country, and stopping a number of pitmen from working, were overtaken near Hill Top by the troop, and a number of special constables. Cap-

tain Hawkes immediately proceeded to address them on the impropriety of their conduct, but was answered by a manifestation of defiance. Missiles were thrown, and it was found expedient to read the Riot-act. This was done amidst hooting and a shower of stones, &c. Scarcely five minutes had elapsed, when captain Hawkes received a severe cut in the chin from a bludgeon, and pebble-stones were unremittingly hurled by the mob. Eight of the yeomanry were either more or less hurt by them, and one constable was severely injured on the temples. Notwithstanding their violence, the cavalry behaved with the greatest forbearance; and it was not till the expiration of the hour that means were taken to clear the ground. Some few shots were fired, but merely to intimidate, as not one of the rioters was hurt. Twelve prisoners were taken, but the most violent escaped for the time. All is at this time quiet, though no colliers are at work.

30. **ST. ETIENNE.**—A shocking murder was committed in a village near this place; the circumstances of which were revealed by two children, who, having amused themselves in climbing up a tree, witnessed the whole of the transaction. Three young men, named Ploton, Torton, and Coste, who had been employed for some time in a neighbouring manufactory, were dismissed a few days since for bad conduct. They were strongly suspected of having committed a rape at Terrenoire, and although, at the time, their persons were disguised, the unhappy female, who was unacquainted with them, thought she could recognise their voices. Her father, named Grange, who keeps a small inn, resolved to pro-



secute these wretches, and it was generally thought that gendarmes would be sent to arrest them. On Friday afternoon they arrived separately at the house of Grange, and called for refreshment. The wretched victim of their barbarous assault was confined to her bed, and only a female servant remained with Grange in the house. She was occupied in the bed-room of her mistress, and neither of the females knew of the arrival of these men. What passed between the murderers and the unfortunate man till the completion of the dreadful deed, cannot be learnt. To prevent his cries from being heard, they tied a towel over his mouth, and then dragged him out of the house into an orchard. Here they deliberately stripped off his coat and neckerchief. Ploton seized him by the arms, and Coste held him by his legs; Torton, observing a pail which had been used for the purpose of milking, exclaimed, "This will do to receive his blood;" he then grasped the wretched man by the hair; bending back the head with extreme violence, he placed it upon the edge of the pail, put his knees upon the face, and cut the carotid artery. After the blood had flowed for some minutes, Torton separated the head from the body, and, having wrapped it up in the towel, threw it over the orchard wall into the court-yard. They then fled, but were arrested on the following day.

**APPREHENSION OF A BAND OF THIEVES.**—A numerous gang of robbers, with the necessary appurtenance of romance, a cave, has existed at Wickwar, in Gloucestershire, for more than seven years; during which period, although they have been the terror of the neighbourhood, and have extended their

depredations over an extensive tract of country, they have contrived to elude justice. Last week, in consequence of some suspicious circumstances, the police were induced to visit Yate Common, where they took into custody an old man, of the name of Mills, his wife, and their four sons. Immediately after their apprehension, these persons disclosed the history of the community with which they were connected. The whole gang is supposed to have amounted to forty or fifty, of which number thirty-one men and women have been apprehended. It appears that, connected with a kitchen in old Mills's house, on Yate Common, these bandits had constructed a subterraneous cave, or storehouse, the entrance to which was behind the fire-place, where the soot and a large pot effectually prevented the slightest suspicion; and, in this cave, the officers found twenty sides of bacon, quantities of cloth, wheat, barley, oats, malt, cheese, two bedsteads, and 50*l.*, chiefly in half-crown pieces. It has been no uncommon thing for a farmer to rise in the morning, and find the greater part of his furniture, fat pigs, poultry, cheese, &c. swept away; and the cave, or depository for the stolen goods, was so well contrived, that all search for the property was invariably made in vain.

**SHIPWRECK.**—The *Jean*, of Peterhead, captain Minto, which sailed from that port the 19th March, bound for Greenland, on the 12th April arrived at the West Ice, where, in the course of six days, 3,070 seals were killed. On the 18th of the same month it began to blow very hard, and, about ten o'clock at night, the tempest became tremendous. As



it was then dark they could not discern the exact situation of the ship ; and, in consequence, after stowing all her sails, they were obliged to let her drive before the wind. She was, at this time, in lat. 70. 20. N., and in long. 10. W. About half-past twelve o'clock the crew were obliged to cut away one of the masts ; and the vessel, having driven against one of those floating streams of ice which are so numerous at the seal-ground, was upset. Another of these streams coming up, beat forcibly against the vessel. The masts, that were still standing, got entangled, and were cut away. The vessel then nearly filled with water, and soon became a total wreck, the quarter-deck only being visible. After remaining at the wreck till the 27th, the crew, seeing no hope of speedy relief, determined to put to sea with the two boats they had still left them. Out of fifty-one men, forty-seven were still alive ; but many of them so much injured by the intensity of the cold, as to be rendered almost helpless. Without charts, or any other guide, they were at a loss in what direction to steer ; but, fortunately, when they had not been above thirty hours at sea they reached Grimsay, an island about 35 miles from the coast of Iceland. Here they landed, and obtained the assistance of two boats to convey their sick to Iceland ; but rowed about 150 miles before reaching it. They remained there until the 18th July, and were very kindly treated. The whole of the clothes belonging to the unfortunate crew were lost, and many of them were supplied at Iceland with such as could be procured. Two more of the crew died there. Besides these, several

of the rest are still severely injured in their feet, and disabled for working. The survivors at last, on the 18th July, left Iceland, on board a Danish brig, from which they were landed at Shetland.

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## AUGUST.

### 4. REMOVAL OF THE STOCKS.—

That ancient instrument of punishment, "the Stocks," belonging to St. Clement's Danes, in Portugal-street, was removed from its situation and destroyed, for the purpose of local improvements. These were the last remaining stocks in the streets of London.

**THUNDER STORM.**—The metropolis was visited by a tremendous thunder storm, accompanied by incessant flashes of the most vivid lightning, and torrents of rain. It commenced about ten o'clock, and lasted three or four hours. The day had previously been oppressively sultry.—The neighbourhood of New Bridge-street, at midnight, afforded a singular spectacle, the whole road, for more than 100 yards in length, between Water-street and Bride-lane, being flooded up to the top of the pavement on both sides of the way, so as to present the aspect of a considerable river. About the deeper parts, towards the channels, common wherries might have floated without difficulty ; and the front wheels of hackney-coaches were in water up to the axles in passing through them.

**SUPERSTITION.** — A singular case of robbery has come before the court at Metz. In September, 1824, Julie Keilbroner, or Tarrisson, the widow of a retired officer, residing at Volmerange, offered to Anne Soritag, a widow,



of weak intellect, to discover to her a treasure concealed in the barn by her deceased husband. The conditions were, that money should be given to her to have masses said for the repose of his soul ; that during the nine nights on which they were to dig for the money, a crown should be daily deposited in the trench ; and that all the windows, doors, and closets, should remain open. The execution of this project commenced ; on the fourth day, however, its progress was arrested. The woman Tarrisson had taken care to be attended by two faithful disciples. On the night of the 16th of September, she declared to her dupe, that the oil of the lamp would not answer ; and they went out together to look for other oil in the neighbourhood. Having obtained this, the impostor took Soritag to a bridge at the end of the village. Do you see, said she, the flames which glide along the water ? No ; where are they ? —Why, there, all blue, now appearing, and now vanishing. No, I see nothing—absolutely nothing ! —Alas, my dear, that is the soul of your husband, which is tormented in purgatory, and the masses must be said quickly.

However, Anne Soritag wished to return to her house ; on her arrival there she saw light in the barn ; her neighbours had seen all the contents of her open closets make their exit, through the open windows. The alarm was given, and the fraud of Tarrisson and her disciples was discovered. The latter were tried and condemned to seven years' confinement, and their principal was condemned par contumace, to be confined for ten years, but the court of Assize reduced the sentence to seven.

GLOUCESTER ASSIZES.—Arthur Briton, Samuel Crow, and William Crow, were indicted for assaulting Anne Hicks on the highway, near Bristol, and taking from her two hundred guineas in gold, a quantity of dollars and shillings, a leather bag, and some other trifling articles, on the 5th of April last.

The prosecutrix said, that, on the night in question, or towards one o'clock in the morning, she was returning soberly and steadily, with Wm. Brain, a young man from Bristol fair, where they had been for the evening, when they were attacked on the high road by the prisoners at the bar, two women named Barret, already acquitted, and a man named Pibble, and beaten most severely, and without the least cause or provocation ; that all the parties—the prosecutrix, Brain, and prisoners, were well known to each other ; that while she was down, her pocket was forced off by the prisoner, Wm. Crow, and carried away ; and that it contained ten score of guineas, eight score of which were wrapped up in a piece of cotton, the rest in paper, together with several dollars, and other silver coin, which she had in a tin-box. She swore both to the loss of her property in this manner, and to the identity of the prisoners as assailants.

In her cross-examination, she admitted, that, though this sum of money had been left to her by her mother four years ago, no human being had been permitted besides herself to know the secret. William Brain, to whom she had since been married, was never informed of her wealth until after the robbery. There was no mention of the money in her mother's will, who



had left 5*l.* to each of her brothers and sisters ; and the reason for distinguishing her in this manner was, because she needed it most ; she admitted that these brothers and sisters were all labouring people. For above a year she had kept this large sum of money, first at her mother's house, and afterwards at her sister's, in a hole in the kitchen, under a stone, where every body had access ; latterly it was in a box, from which she had removed it to her side-pocket as the safer place, to take it for the night among the crowd in Bristol fair. She never took it out before, and might have wanted something, though she had not asked the price of any thing at the fair.

Brain confirmed her story as to her having told him of the robbery, after they were attacked by the prisoners ; but they went home together, notwithstanding, without calling up any body in the road about it.

Mr. Baron Garrow asked the jury, whether they wished him to put the prisoners upon their defence, against a charge so heinous, upon evidence so unsafe.

The Jury concurred in his lordship's doubts, and acquitted the prisoners.

5. SUICIDE.—This evening an Inquest was held on the body of Thomas R. Smart, esq. brother to sir George Smart.

Samuel Faxon, surgeon, sworn.—On Thursday evening, about half-past five o'clock, I was called to the deceased, whom I found lying on the bed ; I observed a large and deep wound in the throat, about five inches in length, and one in the chest, about two inches in depth, between the 6th and 7th ribs ; there was also a deep wound upon the left wrist, dividing the

arteries ; and in the right hand of the deceased was a razor. There were several quarts of blood on the bed and clothes. The wounds had been inflicted some time, as the deceased had ceased to bleed. I also observed a sort of convulsive motion, as if the deceased was attempting to speak, but could not ; his lips were black. These were four phials, three of which, and part of the fourth, were empty ; they had each contained a quantity of laudanum.

Mr. George Gregory, of No. 61, Rupert-street, sworn. On the night before last, the deceased came and inquired whether he could have a bed ; I asked him if he wanted it for one or more nights, he replied, for one night. I told him he could ; he then went into the coffee-room, called for boots, and soon after retired. On the following afternoon, the servant informed me that the gentleman was not moving, it being then four o'clock. I instantly went up stairs, and knocked at the door ; but not receiving any answer, I got upon the bannisters, put my hand through the ventilator, pushed the bolt back, and opened the shutter ; when, seeing the dreadful spectacle, I instantly ran down stairs, and gave the alarm. Upon re-entering the room, the deceased attempted to speak, and appeared to be sensible ; the wounds had ceased to bleed, and he died in a few minutes after.

Mr. C. M. Ellar sworn.—I have been intimate with the deceased for some time. About three weeks since he married a lady of considerable accomplishments, with the entire approbation of his friends. On his marriage taking place, he insisted on myself and family accompanying him down to Worthing,



which I did. On our arrival there, he exhibited the greatest flow of spirits that I ever witnessed; indeed, the excess was such, as occasioned me to observe that I should be happy to possess a portion of them; deceased in reply said, "I am so happy in every way?" On his return to town, this extraordinary flow of spirits began to leave him. His medical attendant, in a conversation with me, stated, as his opinion, that the deceased's extraordinary excitement of spirits had, on leaving him, occasioned the depression that succeeded. The deceased left his home last Wednesday morning, about half-past ten o'clock, with the intention of dining with his brother, sir G. Smart, but he had never called.

The Jury, after a few minutes' consultation, found a verdict—That the deceased had committed Suicide whilst labouring under temporary derangement.

6. BRUSSELS.—A dreadful hurricane, with hailstones larger than a hen's egg, ravaged, the day before yesterday, the whole territory of the villages of Spiennes, Harrengt, Rouveroy, &c. A waggon, loaded with corn, was upset; a barn levelled with the ground; trees torn up by the roots; and all the standing crops destroyed.

7. WITCHCRAFT.—A Catholic priest named Hustinx, has been condemned by the tribunal of Maestricht, to five years imprisonment, and a fine of 3,000 francs, for obtaining money for curing persons suffering under the effects of witchcraft. He appealed to the court at Brussels; and his advocate pleaded, that his belief in witchcraft was genuine, and borne out by the ritual of the church, of which exorcism for witchcraft forms a part. Notwithstanding

this authority, however, the sentence of the inferior court was confirmed.

LIVERPOOL.—This afternoon, at about a quarter before one, the bonded warehouse of Mr. Poole, Suffolk-street, fell, and buried in its ruins a small dwelling-house, and several workmen. By the immediate assistance of a number of people, four or five persons were extricated alive, but some of them were so dreadfully bruised as to leave little hopes of their recovery; two were found dead, and two children were missing. The warehouse was full of cotton, linseed, madders, &c., and the two vaults underneath contained a great deal of wine. Various reports are abroad as to the cause of the accident; but it is generally supposed, that the building had not been erected so substantially as to bear the weight of the goods stored in it.

8. MAIDSTONE. — *Threatening Letter*.—Joseph Finn was indicted for feloniously sending threatening letters to George Gregory, esq., at Willesborough, demanding twenty sovereigns, and threatening to murder him unless he complied. It appeared in evidence that the prosecutor, a gentleman of fortune, received, on the 8th of June, by the General Post, the following anonymous letter, which, for orthography, presents a singular specimen of epistolary composition:—

"i have wrote a few lines to you, and i im in great distress all throu you, for you have a time back engered me of all my property; and now, if not by good will, i must by bad have 20 sufferens of you, and you must put them at a privet place for me, for if you dont, i will be the death of you in some



way or other, if i cant do it slyly i will do it in the middle of the day, or in the night, or the first upertunety ; & if you say anney thing about this i will murder you the same as if you dont put it there ; look down aside your frunt wall door post, and move the durt, you will find a small purse, put the sufferens in it, secure it again at the same place ; if you wish to live, do it ; for if you dont, prepare for death ; for your time will be short ; for hear is four of us, and if you put it there and say nothing about it, fear not. As soon as you receive the letter put it there, and dont let me hear of it again, for if i do i will not go back of my word, so do it, and then i will never interfear with you, but if you dont you may depend on it i will be the death of you now. Dont you disappoint me, for i dam if you wont rue."

The prosecutor took no steps to comply with this demand, and on the 11th of June he received the following communication, in the same hand-writing, and through the same channel:—

" I have wrote to you and more for 20 sufferens, and you may depend on it that i will murder you if you dont put it there, so dont flatter your self, for i meen to do it. i wrote to you once before, & told you that to look down aside your new wall door post at the frunt of your house, and take the durt away there you will find a small purse, put the sufferens in it and secure it again at the same place, & if you dont I am be damb if i dont murder you, & if i hear of it again i will murder you the same. excuse my writing.

Upon receiving this communication, the prosecutor caused the earth near one of the posts of his

outward gate to be searched, and in a hole was found a small bag, resembling a watch-fob.—A few halfpence were then put into the bag, and it was replaced in its former situation, and covered with earth, as before. He then gave directions to his servant to watch the spot, and apprehend any person who came for the bag. Between nine and ten o'clock the same evening, the servant perceived a man approaching the gate, who stooped down ; and, after removing the earth, took the bag out of the hole. The servant immediately rushed out and seized him. The prisoner begged to be allowed to go, and offered to give the servant a guinea. When brought into the presence of the prosecutor, he said he did not write the letters, but that he knew who did, and offered to conduct him to the writer, though he did not know his name ; this was declined. Before the magistrates he gave a different account of the matter, saying, that in passing the prosecutor's gate, he saw the servant hiding the bag near the gate, and tempted by the supposition that money was contained in it, he had gone in the evening and taken it in the manner described, being wholly ignorant of the contents of the letter which had been sent to the prosecutor. He then gave directions to the constable to search his box at his father's house, about half a mile from Willesborough. The constable obtained the key from the prisoner's mother, and, on searching the box, found half a sheet of paper, corresponding with the half-sheet on which the letter first sent to the prosecutor was written. It was proved that this paper had been purchased by the prisoner, at a shop in Willesborough, about the time the letter



was dated. In the prisoner's box was found a copy-book, with his name written in it in several places, and the second letter appeared to have been written on one of the leaves taken from the same book.

The Jury, after a short deliberation, found the prisoner *Guilty*.

9. **SUICIDE.**—This afternoon, an inquest was held to inquire into the circumstances which led to the death of Mrs. Susannah Hurst, of Henry-street, Pentonville.

The deceased was the daughter of an eminent medical practitioner in Bath; and, early in life, was united to a gentleman, in every respect her equal. Shortly after the marriage, however, symptoms of mutual dissatisfaction began to show themselves; and at last rose to such a height, that a separation was the result.—In the course of a few months after, she became the *chère amie* of a military officer, with whom she resided some years in London, apparently in a state of happiness; until circumstances of a private nature occurred, which again caused her to be left without a protector. She next formed a connexion with an elderly gentleman, resident in the city, with whom she continued to live until his death, about five years ago, when he left her an annuity of 150*l*. Her husband had died some time previous. From that period she had resided with her sister, in Henry-street, and their recluse mode of life had attracted the general attention of their neighbours; no person being admitted into the house but the immediate occupants, and their medical attendant. All business, of whatever nature was generally transacted through the railings of the area. So lately as the day before her death, the collector of the King's-taxes had

received his money, and given a receipt, in the manner described. During the last three months she had, at times, evinced symptoms of despondency, and occasional aberrations of intellect, accompanied by a pettishness, and frequent inclination to find fault with her sister. On Monday morning, her bed-room door was found secured, a rather unusual practice, which, together with her long absence from the breakfast table, excited the suspicions of her sister, who determined on having the door forced open. For this purpose she procured the assistance of Mr. Church, and another gentleman, residing in the neighbourhood, who, on entering the apartment, found the unhappy woman suspended by a silk handkerchief from the bed-rail. The body was then stiff and cold, and she must have been dead some hours.

Mr. Aldrich, surgeon, stated, that he had attended the deceased professionally, for a considerable time, and had witnessed of late a material depression of spirits in her; and, though he had made frequent attempts to ascertain the cause, she had invariably declined touching on the subject, which violently overweighed her mental powers. There was, at all times, a mingled air of mystery and melancholy in her conversation and deportment, though she was, evidently, a woman of superior attainments.

The Jury returned a verdict of Insanity.

11. **CHINESE WITNESS.**—*Lancaster.*—John Stott and Thomas Barnes were indicted for committing a highway robbery on the person of Tonsong, a Chinese Tartar. The prosecutor, who obtains his living by exhibiting as an Indian juggler, being put into the



witness box, was asked what religion he professed? The prosecutor, who spoke English very imperfectly, replied, "All same English." Mr. Jones.—"Were you ever baptised?"—"Oh, yes." "When?"—"Oh, many time, all town I come to I baptized."

Mr. Justice Park. "Really I don't know what to do with him. It is clear he does not understand." An interpreter was then sworn, who said he was a Swiss, and the brother-in-law of the prosecutor. Mr. Justice Park.—"Now ask him whether he has been baptised." The interpreter put the question, and accompanied it by making the sign of the Cross on his forehead. Tonsong, who imitated the action, answered at once, "Oh, yes." Mr. Justice Park. "Oh, he seems to understand it; he makes the sign of the Cross. Pray, where were you baptized?"—"Oh, every place go through England." Mr. Justice Park. "Really this is very distressing; I cannot tell what to make of him. If he were a Pagan, I should have no difficulty in swearing him according to the custom of his country, but here the difficulty is, he tells us he is a Christian. Pray ask him if he has ever been at church?" "Have you ever been with him at church?" "No, my lord." "Have you ever heard him say, how people are sworn in his country?"—"No, my lord." "Well, ask him whether he can tell how it is done?" The interpreter and Tonsong having had some conversation, the former said, that Tonsong only assured him that the religion of England was the same as that of his country.

Mr. Justice Park. "Really, gentlemen, what can I do with him? It is clear he knows nothing about it."

Mr. Coltman. "I think, my lord, he must be considered as professing the religion of his forefathers, and he must be sworn as people are sworn in China."

Mr. Justice Park. "I shall be glad to do so." "Where do you go when you die?"—"I go in ground."

Mr. Coltman. "Allow me to try, my lord. Pray, where are your father and mother?"—"They dead."

"Aye, but where are they gone?"—"I no know."

Mr. Coltman. "I am afraid, my lord, I can make nothing of him."

Tonsong was then directed to leave the witness box. It appearing from other evidence then given that the transaction was much more like a brutal frolic than a highway robbery, the prisoners were acquitted.

TRIAL BY JURY IN FRANCE.—The following circumstance is related as having taken place at the court of assizes of Versailles. A girl, named Buisson, was cited before the court on the 8th, charged with having stolen a watch from the son of a Mr. O——, with whom she lived as servant. It appeared in the course of the proceedings, that a certain degree of intimacy existed between the girl and the young man, who had given her the watch, either as an ornament, or to sell. The latter, however, denied having given it to her, and asserted he had only lent it to her, and that when she left his father's house, she ought to have returned it. The girl, in her defence, said, that she had persuaded the family that she was entitled to some property, and, the young man having proposed a secret marriage, she left the house, knowing that inquiries would soon be set on foot which would invalidate her story; and that when she



went away, she had never thought of the watch which was suspended round her neck.

The Jury acquitted her.—The President of the assizes, in pronouncing the acquittal, said to the prisoner:—"You will be prosecuted for another act before the Correctional Tribunal; there you will not escape justice, and you will not find so great an indulgence in judges as in juries." M. C. de Lameth, one of the jury—"Sir, the jury desire me to tell you that they have decided according to their consciences; this is the third time you censure us ——" The President warmly—"You have no business to speak, sir; you are not the foreman of the jury." The foreman—"Well, we are."—The President—"You have no business to speak."—(Murmuring in the jury box.) Several jurymen—"We decide on our consciences, it is a"—— The President—"Silence, it is possible to decide conscientiously, and yet commit an error; it would not require many similar examples to compromise the existence of juries, it is an encouragement."

ANTIQUITIES.—On a hill near Brescia there has stood from time immemorial, a large marble column, supposed to have belonged to a temple of Hercules. For these two years past the magistrates have caused excavations to a great extent to be made on the spot, the result of which confirmed the truth of the tradition. From time to time important monuments of ancient architecture and Roman inscriptions were brought to light. At length the foundations of an immense temple were uncovered, with entrances to several passages. These were examined, and on the 21st of July last the workmen found in one of them several niches, walled

up. They were opened, and in one of them was found a colossal winged Victoria of bronze, and of admirable workmanship. In another, six large busts, one of them representing Faustina, the consort of Marcus Aurelius, and a highly ornamented breast-plate of a horse. In at hird and fourth, a richly-gilt statue,  $4\frac{1}{2}$  feet high, of a captive king, and a colossal arm; all these are likewise of bronze, and of fine workmanship. There are also several inscriptions in the building, one of which mentions the *Brixia Romana*. The eyes of the king and of the Victoria are of onyx. They are all in perfect preservation, and, from the situation in which they were found, it is evident that they were concealed and walled up for security, for both the wings and arms of the Victoria were taken off and laid at her feet.

14. SEDITION.—*Chester*.—Joseph Whitelegg was indicted for having used certain inflammatory and seditious language at a meeting of the working classes, held at Longshut-lane Stockport, on the evening of the 19th of July last. The following facts were proved—Between eight and nine o'clock on that evening, a considerable number of persons assembled at Longshut-lane. A ring was formed, and the defendant read to them an extract from Sherwin's Political Register, of November 14, 1818. He made use of the expressions, "Arm yourselves, and that immediately;" and just at that moment a pistol was fired off by some one in the crowd. He then read from the book a description of the best sort of weapon, which, he said, was a table, or carving, knife, of  $11\frac{1}{4}$  inches long by  $1\frac{1}{4}$  inches wide at the broad end, with a socket (handle) of four inches long and one inch diameter;



this was to be fixed to a pole of eight feet long. A body of men so armed, or with musket and bayonet, would be infinitely superior to one armed with musket and ball cartridge. Some one from the crowd asked, how they were to be used; the defendant replied "Suppose you were so armed, and met a mad dog running towards you, what would you do? Why run it down his throat to be sure; and you should do the same to all those who wrong us, oppose us (or oppress us), and deprive us of sustenance, or deprive us of bread." The prisoner, who had no counsel, cross-examined the several witnesses with great self-possession, and with considerable tact. He pressed one witness, the parish-clerk, very hard, to know if he was not asleep while he was at the meeting. "My reason for asking this question, my lords," said the defendant, is, "that I have seen this man fall asleep, while on duty, in the church, for which his master, the parson, reprov'd him severely." He addressed the jury, at some length, with considerable fluency, and called two witnesses to shew that he had received the book from another person (one of the witnesses), and that he made no comment, but merely read the extract, and that the meeting was perfectly peaceable. The jury, after a short consultation, found the prisoner *Guilty*. The chief justice, under the impression that the defendant had only been the thoughtless instrument of others, sentenced him to be imprisoned six months, and to enter into his own recognizances in 50*l.* for his good behaviour for three years.

18. BOW STEEPLE.—A few mornings ago, the family of Mr. Aughtie were awaked by a tremendous crash, as if the upper part

of the house had fallen in. They found that a stone of nearly 100*lbs.* weight had fallen from the upper cornice of the tower of Bow Church, and broken in the roof. It had hit some of the projecting cornices of the tower, by which its force was broken, and had fallen lengthways; otherwise it is probable that it would have gone through the two floors below the attic, where it stuck, and might have occasioned the loss of lives. Mr. Gwilt, the architect, was sent for by the parish officers, to examine and report as to the cause of the accident. This gentleman has reported that the stone has most probably been detached by the vibration of the tower, caused by the ringing of the bells, and that the effects of this practice are manifested by large cracks in the plastering of the belfry walls, which were plastered over in 1822.

When, in 1816, the spire was found to have lost its perpendicularity, it was conceived that the mischief was caused by the ringing. Mr. Gwilt, however, ascertained that, although the splitting of the tower might be attributed to that cause, yet the deviation of the spire proceeded from the injudicious use of wrought iron in its construction. The effect of a peal of ten bells upon such a steeple, may be conceived from the fact, which this gentleman ascertained from actual experiment, that the smallest bell, which weighs eight hundred weight, shakes it from the top to the very foundation. The largest of the ten bells is upwards of two tons and a half in weight.

19. FIRE. — About a quarter before twelve o'clock, the neighbourhood of Wilmington-square, Clerkenwell, were alarmed by the



sudden breaking out of a fire in No. 20, in the square, occupied by Mr. Parker, and known by the name of Wilmington-house, being a seminary for young ladies. The intimation was given by several persons passing, whose attention was attracted by a dense cloud of smoke issuing from the chimney. The watchman, accompanied by several persons, immediately proceeded to the front door, and knocked with great violence, to warn the inhabitants of their danger; when they discovered that the fire was in the kitchen, and in less than ten minutes the flames burst forth with great fury from the kitchen and parlour windows. It was with considerable difficulty that the family could be made sensible of their danger; the inmates consisted of fourteen individuals—namely, Mr. and Mrs. Parker, their three children, eight young ladies, boarders in the house, and a female servant. The fire was rapidly spreading towards the second floor sleeping-rooms, when the whole of the above persons presented themselves at the front windows imploring assistance, and uttering the most piercing cries. No time was lost, or exertion wanting, in dragging the ladders from the surrounding new buildings, and in procuring the safety ladder from the church, by which in a short time, it was supposed at the moment, that all the inmates had been saved. But it was soon discovered that one little girl was left behind, and to rescue her had now become a perilous undertaking. One individual, prompted by humanity, and assisted by a safety-hood, boldly ascended the ladder, went through the flames, entered the building, and succeeded in his attempt, but

not before the child had sustained injury from the flames; a joyful shout of grateful feeling saluted the deliverer on his safe return from the building to the ground. The roof of the building fell in about one o'clock, carrying every thing under it down to the basement story, and leaving only the bare walls.

26. ROBBERIES AT PRIDDY FAIR.—This fair, which is held annually in a vale surrounded by the Mendip-hills, has always been held in the highest estimation, and has been invariably looked up to as a criterion for the regulation of the prices of stock of all denominations; but, unless such outrages, as those which took place there on Monday last, be prevented in future, they must inevitably lead to a total annihilation of every species of business. Gangs, consisting of as many as from 20 to 30, of what are commonly called gipsies, resort hither; accompanied, in some instances, by their women, who conduct E. O. tables, or other low species of gambling. These women attract the attention of the unwary to their unlawful games, while the men croud around the table, and, appearing to take a lively interest in the progress of the game, by betting small sums, empty the pockets of the by-standers. As night approached, respectable persons, who had been dining in the booths, were called from them by some of the gang, upon pretence of being wanted by a friend, and, as soon as they got outside, were knocked down and robbed of every thing they possessed. This was repeatedly done in the presence of others; but so formidable were the gangs, that they overawed the honest part of the populace. About five o'clock in the evening, Mr.



George Hares, the landlord of the Miners'-Arms inn, at Shipham, was knocked off his horse, and robbed of six sovereigns and some silver. Complaint was vain, as there was no legal authorities to redress the grievance. At eight o'clock, Mr. Tozer, a highly respectable currier, residing at Axbridge, was taking his gloves from his pocket preparatory to mounting his horse and riding home; in the act, however, of mounting, a fellow struck him a violent blow on the forehead, which had the effect of stunning him, and he was immediately surrounded, by at least a dozen pickpockets, who beat, pinioned, and robbed him of a pocket-book, 22*l.* in notes, two sovereigns, about a pound's worth of silver, a snuff-box, two silk handkerchiefs, and other articles of less value. Not contented with this, they cut the girths of his saddle, which, together with a new pair of plated stirrups, they conveyed away in triumph! A vast number of persons witnessed this barbarous scene, but were literally afraid to render assistance, fearful they should have been subject to the same fate. At a later period of the evening, the booths were besieged by the assailants; so that several respectable people preferred sitting up the whole of the night in the booths, rather than run the risk of going out and being robbed; and many of those who encountered the risk, came off without money, and in several instances, had their clothes torn from their backs.

24. ANTIQUITIES.—In addition to a shield which was lately discovered in the bed of the Witham, a number of swords and other antique remains have come to light. A short stabbing sword,

evidently Roman, has an inscription upon the blade which will afford a subject for the ingenuity of the antiquary. This weapon has a straight two-edged blade, with a long tapering point; along the rib or centre line of the blade, on a surface somewhat platted, are the letters (reading from the hilt to the point)—N D K O K C H W D N C H T K O R Y D. They all resemble the ordinary Roman capitals in present use, except the eighth, which is our capital M reversed thus, W.

LOSS OF THE VALLETTA.—By the accident of the Antelope, East India packet, captain Wilson, being wrecked in 1783, the Pellew Islands, thirteen in number, were discovered. By a similar, and late event, the loss of the Valletta, 300 tons burden, a private Indiaman, commanded by John William Phillips, an island and reef of coral rock, in latitude 21 deg. S., longitude 143 deg. E., hitherto unknown, have been discovered. The Valetta sailed from Port Jackson, New South Wales, on the 13th of June, in ballast; had a prosperous voyage till the 10th of July; but on the evening of that day, the wind suddenly shifted, and blew very strong from the north. Breakers and a reef being descried, every exertion to work the ship off was made, but a tremendous swell baffled the most skilful efforts, and she struck so forcibly on the reef, as to occasion the loss of her rudder. With much hazard, an anchor was got out, and many articles thrown overboard, which so floated the vessel, that she was brought into a safe cove, with eight feet water in her hold. It being found on examination, that any attempt to repair her would be nugatory, she was reluctantly



abandoned; a ship's boat was equipped in the best manner their situation would allow; and after a sojourn of ninety-two days on the island, they proceeded to Calcutta, where they safely arrived.

**POWER-LOOMS DESTROYED IN LANCASHIRE.**--The actions brought against the different hundreds of this county, to recover compensation for the damages sustained by

breaking power-looms, during the disturbances in the month of April last, were twenty-three in number; two of which stand over to the next assizes. Of the remaining twenty-four actions, the great majority were undefended, and verdicts were taken by consent in the Sheriff's court. The following is a summary of the different amounts recovered:—

*Against the Hundred of Blackburn.*

	No. of Looms.	£.	s.	d.
Messrs. Sykes, Acrinton .....	60	1039	17	6
Mr. Marquis, do. ....	4	44	13	9
Mr. James Bury, do. ....	94	1889	0	0
Messrs. Eccles, Blackburn .....	212	3178	15	10
Mr. John Haughton, do. ....	25	284	11	9
Mr. James Garsden, Darwen .....	36	413	8	2
Messrs. Carrs, do. ....	16	196	13	0
Messrs. Turners, Musbury .....	106	1651	3	8
Messrs. Whiteheads, Lower Booths .....	96	1049	6	1
Mr. Kay, Coup Lench .....	20	273	16	6
Messrs. Ormrods, Newchurch .....	20	363	1	11
Messrs. Hargreaves and Co. do. ....	28	348	9	2
Messrs. Munn do. ....	51	860	19	7

Total .... 768    £11,593 16 11

*Against the Hundred of Salford.*

	No. of Looms.	£.	s.	d.
Messrs. Rostron, Tottington Higher End ..	58	1500	0	0
Messrs. Aitkin and Lord do. ....	46	568	0	0
Messrs. Hamer and Sons, Elton .....	38	253	7	0
Mr. Hutchinson, Bury .....	49	243	12	0
Mr. John Clegg, Crompton .....	28	418	1	0
Mr. Hugh Beaver, Manchester (no looms) .	—	1474	0	0

Total .... 219    £4,457 0 0

*Against the Hundred of Leyland.*

	No. of Looms.	£.	s.	d.
Mr. Sudell, Chorley .....	100	483	0	0

The total sum recovered, as above, is £16,533 17s. 5d., and the costs of the several actions will amount to about 3,000*l.* in addition. In the two actions yet to be tried, the damages are estimated at £253 9s. 6d.

25. **MURDER AT BRIGHTON.**— some time, a dispute arose between him and his wife, occasioned, it is said, by her refusing to show him



the contents of a letter she was writing. This so exasperated him that he took up a poker and beat her severely with it. For this offence he was committed to take his trial; but through the effects of the wound his wife could not appear against him, and he was therefore liberated. She had, in the interim, resided with her mother; having resolutely refused to live with, or have any connexion with him whatever. About three months ago she was delivered of a male child. On Tuesday afternoon she was at her mother's house, and seeing her husband coming, was apprehensive of violence. There being no other person besides herself in the house, she snatched up her infant and ran into a neighbour's house for protection; but was instantly followed by Burt, who pursued her to a room on the first floor; where the infuriated wretch began his attack on the helpless woman and child. He was armed with a shoemaker's knife, the blade of which was worn away at the point, so as to make it very sharp; this instrument he instantly plunged indiscriminately into the infant and the woman; the woman screamed dreadfully, and implored mercy in the most piteous terms. Nothing, however, appalled the assassin, and he continued his murderous work, till the woman fell, exhausted by loss of blood and the exertions she had made to screen herself and her infant from the effects of his rage. Some persons had by this time assembled at the door below, and one, with more courage than the rest, rushed up stairs, and after a desperate struggle, threw Burt on the ground, by which time more assistance had arrived, and he was

secured. There is no doubt but he would also have stabbed the man who first came to the assistance of his wife, had not the handle of the knife come off from the blade, which remained sticking in the murdered infant. The woman, wounded and lacerated as she was, fled into an adjoining house with her child. The infant died in a short time afterwards. The woman was conveyed to her mother's house with but faint hopes of recovery:—she received a severe stab in the thigh, another in the right arm near an artery, another under the eye, and a fourth in the temple; her front teeth (at least six or seven of them) were dashed out, and she also received a kick in the side, from which more danger was apprehended than even from the wounds.

FRENCH PATENTS.—The *Moniteur* has given a list of patents taken out for new inventions or improvements upon existing machinery in France, from the commencement of the Revolution down to the present time, showing the comparative inactivity of inventive genius and industrious enterprise during the reign of terror or the oppressions of despotism, and their sudden revival on the return of internal peace and social security. In 1791 there were taken out 34; in 1792, 29; in 1793, 4; in the year 2 of the republic, 4; in the year 3, 5; in the year 4, 8; in the year 5, 4; in the year 6, 10; in the year 7, 22; in the year 8, 16; in the year 9, 34; in the year 10, 29; in the year 11, 45; in the year 12, 44; in the year 13, 63; in the year 14, 17; in 1806, 74; in 1807, 66; in 1808, 63; in 1809, 52; in 1810, 93; in 1811, 66; in 1812, 96; in



1813, 98; in 1814, 53; in 1815, 77; in 1816, 115; in 1817, 162; in 1818, 153; in 1819, 138; in 1820, 151; in 1821, 170; in 1822, 175; in 1823, 187; in 1824, 217; and in the first six months of 1825, 161.

28. **HYDROPHOBIA.** — A distressing case of hydrophobia occurred last week in Salford. A Mr. Vaughan was bitten, about two months ago, by a strange cat, which exhibited no symptoms of disease. The day after receiving the bite, he went to Mr. Spencer, a surgeon in the neighbourhood, who applied a common dressing to the wound: it healed in a very few days, and nothing more was thought of it until Monday week, when Mr. S. was once more called to visit his patient, whom he found exhibiting symptoms of a peculiar nature, which, after a little investigation, he discovered to be those usually ascribed to hydrophobia. The patient manifested the usual symptoms at the sight of a looking-glass, or of fluids: he was, however, several times prevailed on to take a little water, but swallowed it with great difficulty, and complained that it hurt him. He remained in a state of great suffering from Monday noon till midnight on Wednesday, when he expired; having been in possession of his faculties until within half an hour of his death; though, when suffering under the paroxysms of the disorder, he was occasionally so violent, as to require considerable restraint. Nothing is known of the fate of the animal which inflicted the wound, as nobody could tell to whom it belonged; but, as it exhibited no symptoms of disease, it is not improbable that this is another of those cases, of which there have

been several in the annals of surgery, wherein the bite of an enraged animal, not labouring under hydrophobia, has produced that disease in human beings.

29. **ROMAN ANTIQUITIES.** — About a quarter of an hour's walk from the small town of St. Remy, in Provence, a shady and flowery path conducts to two remarkable monuments, inclosed by a small stone fence, which, without any historical grounds, are called the Triumphal arch of Augustus, and the Mausoleum of Julius Cæsar. They stand upon a little eminence, hardly twelve or fourteen feet separate; and of itself, this vicinity of the two monuments appears to indicate a connection between them, and to show that the conqueror, in honour of whom the Triumphal arch was erected, lies covered by the monument. The arch is so much damaged, that the whole of the upper part is wanting. By means of a roof, which gives shelter from the rain and snow, its total destruction has been prevented. Two Doric pillars support the arch: on each side, rise two fluted pillars, which have lost their capitals, and the upper part of their shafts. The ornaments of the cornice consist of ivy and olive twigs, interwoven in small fillets. Betwixt the pillars are figures in basso-relievo; on one side, a male and female bound to a tree, as the Romans represented conquered cities and provinces; on the opposite, a woman resting her hand upon the arm of a chained warrior. The Mausoleum is in good preservation, and one of the rarest works of that period. It is in height about fifty-five feet, and rests upon a square pedestal of large hewn stones, which is ornamented on each side with full size



figures in basso-relievo. The foundation is firmly laid with stones of the same sort. The monument consists of three stories: the first and second are square, like the pedestal, only that the latter is much larger; but the third is round, and terminates in a small cupola. A pillar, without pedestal, supports each angle of the first square, which is ornamented with a heavy crown of festoons of fruits and flowers. Each of the four sides of this story has bas-reliefs. On the one side appears a compact body of Roman infantry, in the act of assault; on another, are seen the dead and the wounded lying on the field of battle; on the third, is a combat of cavalry, but which, as well as the preceding, has suffered much from time. The fourth side is in much better preservation, and upon it a procession is represented, probably the triumph of a conqueror, as the hands bound behind the backs of the captives which appear in it, and the priests with animals for sacrifice, seem to intimate. The second story is, as has been already mentioned, also square, and has four open arches. At each angle is a fluted Corinthian pillar with a frieze, ornamented with vine leaves and sea horses. This story supports the third and uppermost; a small rotunda formed of ten Corinthian pillars, in the middle of which, through the spaces between the pillars, are perceived two statues, one of which is larger than the other, but both without heads. A cupola, bound round with a very fine crown of leaves, terminates the whole. Of an inscription which runs round about the middle of the mausoleum, the following letters only can be deciphered—

SEXI MIVLIEGF PARENTIBUS SUEIS.

According to the explanations of antiquaries, this monument must have been erected to their parents by the sons of Caius Julius—Sextus, Lucius, and Marcus.

NEW METHOD OF LIGHTING THEATRES.—M. Locatelli, mechanist, at Venice, has contrived a new apparatus for lighting theatres, which has been adopted at La Fenice, in that city. By the aid of parabolic mirrors, the light of a number of lamps is concentrated over an opening made in the middle of the ceiling of the theatre, and reflected down on a system of plano-concave lenses, of a foot in diameter, which occupy the aperture, and convey into the theatre the rays of light, which arrive at them parallel, and depart from them divergent. From the pit alone, the lenses are perceived, resembling a glowing furnace; and, although the luminous focus is sufficient to light the whole of the theatre, it does not dazzle, and may be viewed without fatiguing the eyes. Besides the advantage of being more equable and mild, being a single luminous body, the light is more intense than that of the common lustre; and there is no part of the theatre in which a person cannot read with the greatest facility. The apparatus being entirely concealed, accommodates itself readily to all the changes which the representation can require. It likewise occasions neither smoke nor bad odours, and has none of the inconveniences of the ancient system.

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## SEPTEMBER.

1. OPENING OF THE PORTS  
FOR THE ADMISSION OF OATS,  
&c.—



At the Court at Windsor, Sept. 1, 1826, present, the King's most excellent Majesty.

Whereas by the laws now in force for regulating the importation of corn, oats and oatmeal, may be imported into the United Kingdom, and into the Isle of Man, for home consumption, under and subject to the regulations of the several statutes in that case made and provided, whenever the average price of oats (to be ascertained in the manner therein prescribed) shall be at or above the price of twenty-seven shillings per quarter, and pease may, in like manner, be imported, whenever the price shall be at or above fifty-three shillings per quarter: And whereas by a certain act of parliament, made and passed in the third year of his present majesty's reign, intituled "An Act to amend the Laws relating to the Importation of Corn," it is enacted, that whenever foreign corn, meal, or flour, shall be admissible under the provisions of an act, passed in the fifty-fifth year of the reign of his late majesty, king George the third, intituled "An Act to amend the Law now in force for regulating the Importation of Corn," or under the provisions of the said act, passed in the third year of the reign of his present majesty, there shall be levied and paid certain duties therein specified upon all such foreign corn, meal, or flour, when admitted for home consumption; and whereas, by the weekly returns of purchases and sales of corn, made by the several inspectors of corn returns in the cities and towns of England and Wales, to the receiver of corn returns, it appears that the average price of oats, and also the average price of pease at the pre-

sent time exceed the before-mentioned prices of twenty-seven shillings and fifty-three shillings per quarter; and whereas, from information which hath this day been laid before his majesty, it appears that the price of oats, as well as that of pease, is still rising, and that the crop of oats, and also the crops of pease and beans, of the present year have failed to a considerable extent, and that a deficiency in the crop of potatoes is also apprehended in some parts of the United Kingdom, and whereas, if the importation, for home consumption, of oats and oatmeal, and of rye, pease, and beans, be not immediately permitted, there is great cause to fear that much distress may ensue to all classes of his majesty's subjects:

And whereas, under the acts aforesaid, no foreign grain of the above description, whatever may be the respective average prices of the same, can be admitted to entry, for home consumption, till after the fifteenth day of November, in the present year, when the next quarterly average, by which the admission of such grain is regulated, will be made up, according to the provisions of the said acts: His majesty, with the advice of his privy council, doth order, and it is hereby accordingly ordered, that foreign oats and oatmeal, rye, pease, and beans, whether warehoused or otherwise, shall, and may, from the date hereof, be permitted to be entered in the ports of the United Kingdom, and of the Isle of Man, for home consumption, provided the parties making entry of any such foreign oats, oatmeal, rye, pease, or beans, do give bond, with sufficient sureties, to the satisfaction of the commissioners of his majesty's customs,



for the payment of any duties, not exceeding in amount the duties hereinafter mentioned, in case parliament shall authorise the levy and receipt thereof; that is to say:—

Oats, per quarter, 2s. Oatmeal, per boll, 2s. 2d. Rye, pease, and beans, per quarter, 3s. 6d.

And his majesty, by and with the advice aforesaid, doth hereby further order, and it is accordingly ordered, that such permission to enter oats and oatmeal, rye, pease, and beans, for home consumption, on the conditions aforesaid, shall continue in force from the date hereof, until the expiration of forty days, to be reckoned from the day of the next meeting of parliament, unless the parliament shall previously to the expiration of the said forty days make provision to the contrary :

And the right honourable the lords commissioners of his majesty's treasury are to give the necessary directions herein accordingly.

C. C. GREVILLE.

2. THE BELLS OF YORK MINSTER AND OF BOW-CHURCH, LONDON.—Owing to the fears which are entertained for the steeple of Bow-church, the famous peal of “Bow bells” is, for the present, silenced. It has been asserted that those bells “contain individually a greater weight of metal than any peal in England.” This is not the fact; for the peal at York Minster is heavier, as will be seen from the following statement:—

York Minster.			Bow-Church.		
Cwt. qrs. lbs.			Cwt. qrs. lbs.		
Treble	8	3 7	8	3	7
2....	9	1 5	9	0	2
3....	10	1 22	10	1	14
4....	12	2 21	12	0	7
5....	13	2 2	13	0	23
6....	16	0 4	17	0	11
7....	21	0 23	20	2	26

8....	26	0 13	24	2	5
9....	33	2 16	34	2	6
Tenor	53	0 25	53	0	22

It appears, therefore, that whilst the trebles weigh the same in both peals, and in Nos. 6 and 9 Bow bells are the heaviest, all the others in York Minster contain more metal. The tenors of both are in the key of C.; and both peals were cast at the same foundry in London; Bow bells, in 1762, and those of York Minster, in 1765.

3. CORONATION OF THE EMPEROR NICHOLAS.—The ceremony of the imperial coronation took place in Moscow, this day. The time originally fixed was last June, but the death of the late empress caused it to be postponed; and, subsequently, it was further postponed; first, on account of a long fast, observed in the Greek church, which did not end till the 15th August, and, secondly, in consideration of the delicate state of health of the young empress. The latter circumstance was also the cause of the ceremony being considerably shortened; for it commenced at ten in the morning, and was finished by half-past twelve. That part of the Kremlin where the procession passed was entirely closed, and a scaffolding erected, the seats on which were let out at from twenty-five to seventy-five rubles. The ancient cathedral, which is very small, could not contain, at the utmost, above five hundred spectators, and of these scarcely one-fourth were accommodated with seats. On a raised platform, in the centre of the church, were three thrones, one of which was placed at some distance from the other two, and was occupied by the empress-mother, who arrived first. The emperor and empress came, about eight o'clock



in the morning, in a procession composed of the generals of the army, the representatives of the nobility from the different governments, and the merchants of Moscow. The grand duke Michael assisted in putting on the emperor's robes, which was the commencement of the ceremony; and the grand duke Constantine held his sword, whilst he took the sacrament. When the emperor had placed the crown upon his head, he embraced the empress-mother and the grand duke Constantine, in the most affectionate manner. The empress wore a smaller crown, after the emperor had for a moment placed his on her head. The ceremony was over by half-past twelve o'clock; when discharges of artillery announced the completion of the ceremony to the multitudes, who were assembled without, and, on their return, the emperor and empress were greeted with loud and enthusiastic acclamations. At two o'clock the great banqueting-room was thrown open, where a table with three covers was prepared, under a canopy, for the emperor and the two empresses. A long table was occupied by the ladies of the court. The grand dukes Constantine and Michael remained standing. The grand duchess Helena, the emperor's three eldest children, and the prince of Prussia, viewed the banquet from a balcony in the upper part of the room; the clergy alone partaking of a repast during the imperial dinner. By much the most striking part of the whole scene was the presence of the archduke Constantine, the elder brother, who has renounced his birth-right, and acted as an attendant, bestowing, instead of receiving, homage. He walked on

the right hand of the emperor; the other brother, the archduke Michael, being on his left, and both of them being a few feet in advance of the canopy, which was borne over the emperor's head by his chamberlains. The crown was entirely composed of diamonds. None of the ambassadors joined in the procession, but all of them were present in the church. The duke of Devonshire was there, accompanied by lord Morpeth, lord W. Russell, Mr. Grosvenor, Mr. Cavendish, Mr. Townshend, and sir Alexander Mallet. Several other English gentlemen were outside the church as spectators. The day was exceedingly fine, and nothing whatever occurred to lessen, in the slightest degree, the general joy. In the evening a general illumination took place, and the towers and walls of the Kremlin were wholly covered with lamps, so that all their forms and angles were distinctly seen at an immense distance, and the prodigious blaze of light which played around the domes and minarets, seemed to be a realization of the delightful imaginings, the visionary descriptions, of the tales in the Arabian Nights.

5. TUMULTS IN DUBLIN.—Thomas Doyle, George Saunders, John Diggan, William Moore, and Lawrence Lawlor, were brought before major Sirr, charged with assembling in a riotous manner on the preceding evening, and feloniously carrying off a quantity of bacon and bread from several huckster's shops. By the statements made before the magistrate, it appeared, that, about five o'clock in the evening, a body of upwards of 100 weavers assembled in Kevin-street, and from thence proceeded to Kevin's-port; on



their way through Kevin-street, they stopped at the shop of a huckster of the name of Kelly, from which they took about ten shillings' worth of bread; they then went to the shop of Mr. Moore, huckster, Kevin's-port. Moore was absent at the time, but his wife, who was in a bad state of health, armed herself with a large knife, for the defence of her husband's property, and she was able, for a short time, to prevent the assailants from entering the shop. They at last succeeded in forcing the knife from her, when the poor woman was dragged out into the street, and knocked down. The mob then carried off a quantity of bacon and hams from the shop, to the amount of 10*l.* or 12*l.*, and went on to Charlotte-street, whither they were followed by Mr. Sanford, a grocer, and some other of the householders of the neighbourhood. In Charlotte-street, they entered the shop of Mr. Lawlor, huckster, from which they took a side of bacon; other shops in the neighbourhood were next visited in their progress towards the canal basin, from which spot they went off in the direction of New-street. In the mean time, Mr. Bell, commanding the horse-police in Kevin-street barracks, had promptly assembled his men, and sending them out in different directions, they succeeded in making the fore-mentioned prisoners in New-street. Some of the bacon, which Doyle and Lawlor were seen to throw from them, was found. It was stated by several witnesses, that Doyle headed the party, and seemed to direct all their proceedings. Between seven and eight o'clock this morning, a number of men assembled in James's-street, and proceeded to

the house of Mr. Dempsey, a baker, where they demanded bread, which was given to them; they then went on to the shop of Mr. Manders, where they made a similar demand, which was complied with. The party next proceeded in the direction of Bow-bridge, and on their way they met a baker's boy with a basket of bread, which they seized upon and divided among them; but, on the appearance of a party of police, from Arran-quay division, they dispersed, without committing further outrage. About the same time a small party, fifteen or twenty in number, stopped a basket of bread in Kevin's-port, which they knocked off the head of the man who carried it, and seized some small loaves. The man, with the assistance of Mr. Meade, of Cuffe-street, took two of the party into custody; their names are Thomas Mahon, and Brian Kiernan, weavers; they were brought up before alderman Flemming, at College-street office, when they were both committed for trial. They denied the offence with which they were charged, and said they were on their way to their work at Leeson-street, when they saw the mob coming up Kevin-street, but they never joined it. Throughout the day a number of weavers were assembled in front of the Exchange, and in different parts of the Liberty; in the afternoon some of them attempted to seize a basket of bread from a baker's man, in Camden-street, but were prevented.

9. EXPLOSION OF GAS. — A coroner's inquest was held before T. Shelton, esq. on the body of J. Harrison, who was killed by an explosion that took place at the Coburg theatre on Friday.



G. B. Davidge, the proprietor, deposed, that, on Friday morning, about twelve o'clock, he was on the stage, when he heard a noise at the back of the theatre. He immediately ran under the stage to the gasometer, when he was compelled to return, in consequence of the gas which had escaped. He afterwards went back, and found the deceased lying on the top of the gasometer; the deceased and two other men had been employed in pumping the water from the tank, which was then about eighteen inches deep. The gasometer, which was in the centre of the tank, appeared to have been blown up to the ceiling, and the deceased to have been jammed between that and the gasometer, which afterwards rebounded nearly to its former position, falling on one of the other men. The gasometer had not been used for upwards of two years, and the water had been suffered to remain in the tank ever since, which caused a quantity of foul air to accumulate. The accident was occasioned by one of the men incautiously approaching the tank with a lighted candle in his hand, by which the foul air ignited, and the explosion took place instantaneously.

William Webb expired, in consequence of injuries sustained on the same occasion.

The jury returned a verdict of Accidental Death.

9. MURDER. — *Carlisle*. — Yesterday afternoon a woman named Mary Brown, was murdered in a field at St. Nicholas, outside the southern suburb of the city.

Brown was a woman of loose character, who for some time past lived separate from her husband, and had indulged in an improper intercourse with one Tinneley.

On Wednesday, Tinneley induced her to accompany him into the field spoken of, where he inflicted several mortal wounds upon her head with a hammer. The poor woman fell under the blows, apparently dead; and Tinneley stood over her, with an intention of burying the body; but she at this moment opened her eyes, and looked upon him so reproachingly, that he shrunk from his purpose, and quitted the field. He then went fourteen or fifteen miles into Scotland; but, stung by conscience, returned, and, on Thursday afternoon, repaired to the spot where he had left his victim, and was horror-struck at finding her still living. He hastily retired, and went to the houses of some of his acquaintances, to whom he confessed the deed that he had done. The woman was removed to her former lodging, where she died the next morning at three o'clock. Tinneley was taken into custody. Before the inquest Mrs. Irving, at whose house it was held, stated as follows.

Ann Irving. — The man who is now in custody, came into my house about four o'clock yesterday afternoon, and asked me, if I had heard of the woman that was murdered in Botchergate. I said no. He then said, there was one murdered, and he was the man who did it; adding he had been fourteen miles into Scotland, and had come back to give himself up. I inquired who the murdered woman was, where she lived, and what was her name; he said, they called her Brown, and that she was a bad woman. The man then said nothing more, but got up and went out towards the old workhouse. I thought he was deranged, though he was quite collected in his ap-



pearance. He took out a handkerchief and began to cry.

Ruth Williamson—I live under the lodgings of the deceased. I heard that the prisoner and the deceased had gone off together; and when I saw him on Thursday, I asked him, if he had returned. He said, “Returned! Where have I been?” The prisoner had visited the deceased for six or eight weeks occasionally. I saw the prisoner when he came in yesterday, about ten minutes past four: he said “where’s Mary Brown; have you heard any thing of her?” I said, “I have heard nothing: where is she?” He then said, “I’ve killed her; I’ve hammered her brains out.” I fainted from fear; but as soon as I recovered my strength, I left the house and him sitting in it. When I was running out of the room, he ordered me to stop, and said he would take me to the place where the deceased was. I ran into a house, in which there was a young man, named Story, whom I requested to go into my room, as there was a man there, who had murdered Mary Brown. I then gave information to other persons in a weaving shop, when one of them, named Edward M’Bride, went to our house, locked the door, and found the prisoner in Richard Story’s house. I accompanied the prisoner and a crowd of people to the spot where the deceased was lying, which was in a field near Botchergate. I knew the deceased; she was not entirely dead, but in a dying state: she was breathing.

Other witnesses corroborated this testimony; and the jury returned a verdict of Wilful Murder against Tinneley.

12. SCIENTIFIC DISCOVERY.—Dr. Fuchs, at Munich, of the

Academy of Sciences, has just discovered a method of rendering wood incombustible, and has proved the efficaciousness of it by experiment. He has combined caustic alkali in solution with a certain earthy substance, washed and sifted, and applied on the wood, which it renders imperviable to water, and to all kinds of humidity. The Architectural Committee, of the theatre royal, at Munich, has made trial of this method on two small buildings, one of which was prepared according to Dr. Fuchs’ plan, the other not. Fire having been lighted in both these buildings, the one was burnt, the other received no injury. The expense of the application is only two francs for 100 feet, or two centimes per foot.

THE JURY SYSTEM IN FRANCE.

—It is known that unanimity is not essential to a legal verdict in France: the following verdict and sentence lately delivered at the Assize court of Paris, will shew the weight of authority which attaches to the majority of the jury:—Verdict—“Guilty, by a majority of seven voices over five, of having, on the 30th November last, as agent of police, committed an act of arbitrary power and imprisonment against the accuser Cornille.” Sentence—“The court, adopting the opinion of the minority of the jury, acquitted the accused, and condemned the prosecutor, M. Cornille, to pay the costs of the suit to the state, making his person liable for the same”!

13. FUNERAL OF LORD GIFFORD.

—The remains of this nobleman were yesterday deposited in a vault in the Rolls chapel, Chancery-lane. The great gates leading from Chancery-lane into the Rolls-court, were closed early in the morning,



and a party of the police stationed there to prevent any annoyance from the crowds collected outside. Soon after eleven o'clock the judges of the different law courts began to arrive, and at one o'clock, the door of the official residence of the deceased nobleman was thrown open, and the procession began to move forward in the following order:—

Two Mutes.—A plume of feathers.

The rev. Mr. Erskine, with an open prayer-book in his hand.

#### THE COFFIN,

which was of black cloth, and studded with nails of the same colour. The pall covering it was supported by the following distinguished law officers. On the one side—the lord Chancellor, the lord chief baron of Scotland, and sir William Grant. On the other—the chief justices of the Bench and Pleas, Mr. justice Park, and Mr. justice Gazelee.

The chief mourners were Mr. Wm. Gifford, and Mr. Chas. Gifford (his lordship's brothers), Messrs. Drew, Wedgwood, Burford, and Hine.

Behind these followed, side by side, the attorney-general and solicitor-general, and the procession was closed by Messrs. Harris, Murray, Farr, and Haynes, the clerks of the Rolls.

On entering the chapel, the coffin was placed in the centre of the middle aisle, and the service having been read, it was deposited in a vault, on the north-east side of the altar, immediately above the coffin of sir William Fortescue, and opposite to that of sir Thomas Plumer, after which the mourners returned in the same order.

ACCIDENT, SHEERNESS. — A little boy, about five or six years of age, fell overboard from the

Terrible, of 74 guns, lying close to the Dock-yard wall. His father, Gibson by name, on seeing the accident, jumped overboard after him; and, placing the child on his back, was swimming towards a boat, within a few yards of them, the boy's arms being round his father's neck; but by some unfortunate circumstance, the boy slid from off the father's back, and his body came round to the parent's front, the child still clinging round the father's neck, by which position it is supposed the man could not use his arms to support himself and his child in the waves, when they went to the bottom together, and never rose again. This was the third time Gibson had jumped overboard to save this very child.

14. SUICIDE.—*Stutgard*.—On the 9th, a young man and woman arrived here by a coach from Carlsruhe, and alighted at an inn. They passed the whole of the next day here and at Canstadt, and ordered the coachman to be ready on the afternoon of the 11th. The coachman having waited more than an hour, went up stairs to ask instructions. To the questions that he put, the young man answered that he might come in. The door, however, was bolted on the inside, and barricadoed also with a chest of drawers. After he had got in through another room, the young woman was found lying insensible on the bed, bathed in her blood—and the young man was leaning against the wall of the apartment with blood streaming from his mouth.—They had attempted (it would appear) to commit suicide, and had put a number of hail shot into two small pocket-pistols for that purpose; but the charge was so weak, that most of the shot re-



mained in the barrel. The unfortunate pair were carried to the hospital. — The young woman was so severely wounded as hardly to be able to utter some unintelligible words, and she was considered to be in a very dangerous state. The condition of the young man was more favourable. He was able to speak distinctly. The name of the latter is M——. He is twenty-four years of age; was born at L——, in the Grand Duchy of Baden, and acted as Surgeon at the Hospital of Carlsruhe. The young woman's name is Caroline B——. The motives which induced them to attempt suicide are not known. They left Carlsruhe on the 8th, and when here they did not live in an economical manner, although, they had not money sufficient to pay their bill.

**PEDESTRIANISM.** — Yesterday week, Townsend, the pedestrian, started from the Swan, Islington, Edgbaston, at twenty minutes past five in the afternoon, to go ninety miles in twenty-four successive hours, and half of them to be walked backwards. The distance measured was half a mile through the toll gate, and along Calthorpe-street, on which he went to and fro. The weather was very favourable, with the exception of a little rain on the following morning; and he kept moving at the steady pace of about four miles an hour, which, if continued throughout, would allow him an hour and a half for rest and refreshment. For the last eight miles he had about two hours and five minutes left; but seven out of the eight were to be performed backwards. His spirits were good to the last. He never slackened his pace; but towards the latter part of his task it was evident, from his apparent exer-

tions, that his difficulty increased. He, however, gained five minutes in the seven miles, and then, having the last mile to go forward, he performed it in good style in about ten minutes and a half; thus accomplishing the arduous task with more than a quarter of an hour to spare.—

**19. DEATH FROM STARVATION.** — An inquest was held contiguous to the King's-bench prison, on John Fitch, a prisoner. Mary Fitch, his widow, deposed, that the deceased had formerly been a master coach-builder in Apollo-buildings, East-lane, Walworth; but, within the last eighteen months, had fallen into difficulties, and, about twelve months ago, had been arrested, and confined in the Kings'-bench prison. The deceased, in consequence of being "Chum'd out," was obliged to sleep on the seats in the chapel for upwards of two months with his clothes on; this was during the winter; and after he got into a room, he was compelled to sleep on the floor for want of a bedstead. The deceased was shortly after taken ill; and, by the advice of some of the inmates of the King's-bench, his wife got a petition drawn up, and signed by several respectable persons, addressed to the duchess of Buccleugh, having often heard of that noble lady's benevolence; she called in about three weeks afterwards, but her grace was out of town; witness and her husband were then without common necessities. Owing to the deceased's having caught cold from want of a proper bed to lie on, he became so unwell, that he was scarcely able to assist himself. Witness applied to the marshal, for the rules, gratis, which was at first refused, but, upon a surgeon's



certificate being produced, the marshal humanely granted them. When the deceased obtained the rules, he applied to St. Mary's. Newington, for parochial relief. The parish at first gave half-a-crown, which exactly paid for their lodging, and finding this sum inadequate to their support, the wife subsequently applied for further relief, when they granted an extra sixpence weekly, and this, with the exception of trifles given to them, was all they had for their support. For upwards of three months, she had not even tasted tea, and frequently she and her husband existed upon a penny loaf and milk and water, day after day, excepting that now and then one of the lodgers gave her a bit of meat. Beef had lately been distributed at the Bench, but the deceased had not been so fortunate as to get any. During the whole time witness and deceased had occupied their present lodging, they had slept upon the floor, with only a portion of two old blankets to cover them. Witness had since received a shilling per week from the Lambeth Chapel Society fund, in Cheyne-terrace.—Robert King, landlord of the house occupied by the deceased, deposed, that the deceased came to live with him on the 12th of January last, since which period he and his wife had been in a state of comparative starvation; indeed, such had been their distress, that, although the witness was only a journeyman bird-cage-maker, with a wife and three children to support, he could not find it in his heart to press for payment of his rent; deceased and his wife lay upon the floor. Witness now and then, when he could afford it, gave deceased a drop of broth; they owed him 24 weeks' rent at 2s.

6d. per week. The jury returned a Verdict—"That the deceased John Fitch, died through starvation."

**RIOTS AND OUTRAGES IN BETHNAL GREEN.**—The two churchwardens of St. Matthew, Bethnal-green, and the vestry clerk, waited upon the Secretary of State at the Home-office, where they were met by two of the magistrates of Worship-street Police-office. The object of the meeting was, to devise some measures to repress the dreadful outrages of a lawless gang of thieves, consisting of 5 or 600, who have caused such alarm in the minds of the inhabitants, that they have found it necessary to shut up their shops at an early hour, to protect their property from the ruffians. The gang rendezvous in a brick field at the top of Spicer-street, Spitalfields, and outposts are stationed to give an alarm, should any of the civil power approach, and their cry is, "War-hawk," as a signal for retreat. On the brick-kilns in this field, they cook whatever meat and potatoes they plunder from the various shops in the neighbourhood, in the open day and in the face of the shopkeeper. On Mondays, Wednesdays, and Fridays, being market days (Monday and Friday at Smithfield, and Wednesday at Barnet), they sally out into the suburbs, and wait in ambush till a drove of beasts passes; they then attack the drovers, and take a beast from the drove and convey it into the marshes till night; when they hunt it through the metropolis, and whilst the passengers and inhabitants are in the utmost state of alarm, they plunder, and in many instances nearly murder, every person whom they meet; there are now no fewer than five individuals lying in the London



Infirmaries, without hopes of recovery, that have fallen into the hands of the gang. Within the last fortnight, upwards of 50 persons have been robbed, and cruelly beaten, and one of the gang was seen one day last week to produce, amongst some of his associates, nearly half-a-hat-full of watches. In consequence of these outrages, the right hon. Secretary gave orders, that a reinforcement of forty men, most of them mounted, should be stationed in different parts of the parish, and that they should be relieved every three hours, with instructions, to patrol the disturbed parts day and night, which is now the case. In addition to these measures, a magistrate was in attendance yesterday (Sunday) at the Police-office, in order to hear cases against any of the marauders, should they be brought before him, and the hon. Secretary has further ordered, that for the future the magistrates shall sit every morning at ten instead of eleven o'clock. The Secretary of State on Saturday last had an interview with the magistrates of the district, respecting the state of that part of the metropolis, and anxiously inquired if the robbers were distressed weavers? An answer was given in the negative; but that they were a set of idle and disorderly fellows, who have been long known to the police as reputed thieves.

**EXPLOSION AT OSTEND.**—The new magazine at Ostend which contained upwards of 1,400 barrels of powder, exploded at ten o'clock in the morning. About forty persons, chiefly soldiers, were killed; the wounded were almost innumerable. Stones and bricks were thrown to a distance of three miles; one man in a boat had his

head completely taken off; and another his arm, at a mile distant. A woman, who was making her bed, had her chamber door driven from the hinges and thrown across the bed; the ceilings fell down, and the windows were broken, but she escaped without injury, except a few slight bruises. A priest performing mass was knocked down in the church, the windows of which were broken, but no lives were lost. Several poor men fishing near the magazine were killed instantly; and the captain of one of the barges coming up with passengers, was so alarmed at the explosion, that he jumped overboard. Every house was partially or altogether unroofed—locks, bolts, and bars, literally flew asunder—the window frames and the glass were scattered to the winds—the ceilings of the Houses in and near the quay, were as if strained from the joists—the walls yawned from their perpendiculars, and the very foundations were shaken to their centre. Nor was this the case merely at the quay; the whole line of street, on the road to Bruges, exhibited a still more melancholy spectacle, inasmuch as the houses presented not only an equally desolate appearance, but their owners also were involved in instantaneous ruin. The houses on the quay, some of the best built and most substantial in Ostend, were shaken to their foundation. In the house of Mr. R——, an eminent banker, the joists were wrenched from the walls of the building—the main side wall of the hall door entrance quite removed from its perpendicular—and the drawing-room tables studded over with pieces of broken window-glass, driven into the tables by the force of the concussion. Another individual, look-



ing over a bulky ledger, had it whirled from him into the street, while he himself, with difficulty, kept on his legs. The force of the concussion is illustrated by this single fact—that two fishing boats, lying in several feet water at the quay, were absolutely driven into, and are now bedded in, the muddy bottom. The wife of the chevalier de Bossay, accompanied by her two daughters, were driving in their cabriolet, within half a mile of the arsenal at the moment of the explosion, when madame de Bossay was violently struck on the right temple with a large piece of timber, supposed to be part of the ruins of the powder magazine, and killed instantaneously. The noise of the explosion set off the horse, a fine spirited animal, at full speed down the hill of Fermois. Dragging the vehicle against a heap of rubbish by the road side, the two young ladies were dashed out with considerable violence, and the footman, who was riding behind, was thrown under the wheels of a diligence passing at the time, by which he had both his legs broken, and was otherwise considerably injured. On the mademoiselles Bossay being taken up, in the youngest life was found entirely extinct, and the arm of the other was broken in two places, besides being dreadfully bruised, particularly about the head, so as to render her recovery extremely doubtful. On the news of this dreadful occurrence reaching the ears of a young student, who had arrived at Ostend the evening before, from Frankfort, and who was just on the eve of leading to the altar the youngest daughter of this ill-fated family, he immediately rushed into his apartment at his hotel, and blew out his brains with one of

his travelling pistols. On his toilet was found the following, written on the back of a letter received from his betrothed wife:—‘I cannot survive this dreadful event; I go to meet my Rosabelle in the realms of bliss. Adieu, adieu, my friends! I cannot live without my adored.’ Rumour has ascribed this event, first to a man having walked into the arsenal with nails in his shoes, and thereby igniting the powder—then again, to a man being allowed to smoke a pipe in the arsenal, and the fire being communicated in that manner—while there are others who attribute it to some malicious incendiary.

20. THE FRENCH PRESS.—A person of the name of Tonquet has been condemned by the Court of Correctional Police at Paris, to nine months’ imprisonment, and a fine of 100 francs, for having published what he called the *historical* and *moral* portion of the Gospels, without the miracles or supernatural occurrences which afford the evidence of the Saviour’s divine mission. No charge of perversion or blasphemy was brought against him. He was accused only of mutilating the sacred volume, on which the religion of the state is grounded, by suppressing that part of it which relates to the supernatural events which signalized the birth, the life, the death, and resurrection of the author of Christianity, and thus, by implication, denying his divine mission. That the facts alleged were not of that negative kind of which the penal laws refuse to take notice, was proved, it was said, by the circumstance that the defendant published his book as the complete Gospel, while it really omitted its most important doctrines and narratives.



21. WRESTLING.—An interesting match has been played between the Cornish and Devonshire men in London, which was decided at the Eagle tavern, City-road. The Devonshire men won the first prize, by bringing up Abraham Cann, their champion; the Cornishmen won the second, third, and fourth prizes, and made a good struggle against Cann. The wrestlers on the Cornish side were mechanics living in London; and, but for the bringing up of Cann, the very best man to be found in Devonshire, they must have won the three first prizes. Warren, the Cornishman, who contended with Cann for the first prize, is a miner, and was a passenger bound for South America, on board the brig which saved so many of the crew and passengers of the Kent Indiaman, when on fire in the Bay of Biscay. When the sailors, who arrived in the first boat from the Kent, refused to return on account of the weather, he seized the principal of them with a lion's grasp, and told him either to go back into the boat or into the sea; the sailor finding resistance vain, preferred the former, and re-entered the boat with the whole of its crew, by which means upwards of 150 souls were saved. Nor was this all; he afterwards placed himself in the main chains, at the imminent peril of his life, and by the muscular strength of his arm, when tackle could not be used, lifted into the brig children and women, half dead with fear, and incapable of any exertion, one of whom was major M'Gregor's wife, for which he received the thanks of the family, and a present of 150*l.* He is a very prominent-featured man, about five feet nine or ten inches high, very powerful, and 40 years of age,

and is father of ten children. The Cornish committee, in token of their approbation of his conduct, have made up his prize equal to that won by Cann.

22. STONE PULPIT.—The Rev. P. Proudfoot, minister of Arrochar, has occasionally, in the summer season, preached at the head of his parish, for the benefit of those whose great distance from church rendered their attendance very irregular. On the days, however, fixed for this purpose, the weather often proved unfavourable; and though no complaint was, on this account, ever made by the preacher, he being uniformly willing, along with his people, to suit himself to circumstances, the parishioners chiefly concerned were every now and then speculating about the possibility of converting a large rock, in the neighbourhood of which they were wont to assemble, into a kind of tent or pulpit, under the covering of which the minister would be able to address them with increased comfort. A subscription was accordingly set on foot, in which most, if not all, of the parishioners cordially came forward, according to their ability. The work, though attended with considerable trouble and expense, has at last been finished, and, on Sunday last, Mr. Proudfoot was requested to preach, for the first time, from Clach au Taubh, or the Bull Rock, converted into a pulpit. The rock is situated on the west side of Loch Lomond, about  $7\frac{1}{2}$  miles above Tarbet, and about 9 miles distant from Arrochar. Towards the back of it, westward, rocks are piled above rocks, "like fragments of a former world" for nearly a mile upward. On the north, the beautiful green hills of Glenfalloch terminate the



view. Looking to the east, the front of the pulpit, there is a small plot of green; then the public road; a few yards further, Loch Lomond, about a mile broad, with a fine rocky and wooded bank; and on the opposite side, a splendid green hill, rising almost a mile perpendicular from the Loch.

23. A MODERN ROBINSON CRUSOE.—The Thetis transport, which arrived a few days ago from the Pacific Ocean, had occasion to touch at the island of Mocho, for water, the only inhabitant on which was an English seaman, of the name of Joseph Richardson, a native of Aldington, near Ashford, in Kent, who had made choice of that solitary houseless spot, upwards of three years ago, for a residence, when he was landed, at his own urgent desire, from the Patriot ship of war, commanded by captain Robertson. The island is about sixty miles in circumference, and about sixty miles from the coast of Chili, in lat. 39. S. It is very seldom visited by ships, as it does not afford supplies of wood. It is remarkably fertile, and abounds with hogs and horses. Richardson has cultivated two gardens, on the vegetable produce of which, with pork, young horse-flesh, and wild pigeons, he lives. He hunts the former animals with dogs, a fine breed of which he has broken in; the pigeons are so numerous, that he has little difficulty in obtaining them, as well as other kinds of birds, though the only fire-arms he possesses is an old musket, with a broken lock, which he discharges by means of a match; but by patient watching under the trees, he contrives, with such defective means, to vary his diet as often as he wishes. About nine months since, the Indians, hearing of his desolate

situation, though not at all disposed to join in community, landed two of their native girls on the island. Richardson instantly made choice of one of them as his consort, and proclaimed her queen of the island, and the other he calls his cook. The distinction between these two individuals was quite perceptible on the present visit. Richardson having no means of amusement beside the necessary employment of obtaining subsistence, at his own request, lieutenant Hopkins supplied him with a Bible and prayer book. Lieutenant H. offered to take him off the island, but he refused to leave it, declaring his determination of passing his life in his own government. He had commenced erecting a fort, to protect himself from the Indians. There was no present appearance of any increase of his subjects.

ST. PETERSBURGH.—The emperor Nicolas has bestowed an additional annual grant of 5,000 rubles to the Society for the Encouragement of Artists, thus doubling the funds assigned it by his predecessor. This institution, which has now existed some years, sends pupils to Italy at its own expense; and facilitates to artists the means of disposing of their productions. It has lately opened a gallery for the exhibition of works of art, which has attracted the attention of the public very considerably; and nearly all the principal paintings have found purchasers.

STEAM-NAVIGATION IN INDIA.—A society has been formed at Singapore for the establishment of a direct intercourse between the various ports of the Indian seas, by means of steam-vessels. For this purpose, one is to be built and fitted out in England, which will



sail to Batavia, Malacca, Penang, and Calcutta; and, in the course of time, this communication will extend to Rangoon and Madras. It is expected that the passage from Singapore to Calcutta, which at present occupies about five weeks, may be accomplished in eight days. The author of the project is Mr. Morris, who has already procured to be constructed for the Dutch government, a steam-boat intended to make cruises against the pirates on the coast of Java.

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### OCTOBER.

1. ROYAL LIBRARY, BRITISH MUSEUM.—The building, lately erected in the garden of the British Museum, for the reception of the library presented by his majesty, is nearly in a finished state. The west front is faced with stone, and is ornamented in the centre with four half columns of the Ionic order, fluted, and two antæ, which support a pediment. The entablature of the order is continued along the whole front. The entrance is at the end of Montague-place. The first apartment on the right is of very great length, extending to the projection in the centre of the building into which it leads. That part of the room, which is the centre division of the exterior of the building, is ornamented on each side with two superb Corinthian columns of marble, very highly polished. The adjoining room is nearly equal in dimensions to the first, beyond which there are two other rooms. The whole of this noble suite of apartments, which are very lofty, are of an equal height, and decorated with an enriched cornice, frieze, &c. The ceilings are of a

magnificent description, and richly ornamented. The frame work, which supports the ceiling, is entirely of iron, which renders the building fire-proof; very strong iron girders are placed at intervals across the walls to support the work. The rooms are lighted by a row of windows on both sides, of equal dimensions, and extend the whole length of the building. The party walls, which divide the apartments, are decorated at the angles with double-faced pilasters of highly polished marble. A broad stone staircase in the entrance-hall, leads to a corresponding suite of rooms above of the same extent as those beneath, though much lower; the ceilings are ornamented in a very chaste style, and light is admitted into these rooms by skylights in the roof. The roof, which is principally of cast iron, is covered with copper, and has so slight a rise, that it is not seen from the ground.

NAVIGABLE COMMUNICATION BETWEEN THE ATLANTIC AND PACIFIC OCEANS.—A contract was concluded, on the 17th June last, between the Federal Republic of central America, and a company, formed in New York, for the purpose of effecting a navigable communication between the Atlantic and Pacific oceans, through Nicaragua, one of the States of central America. The contemplated route is by the river St. John, into the lake of Nicaragua, whence, from its western extremity, a canal will be cut for about seventeen miles to the Pacific. The company with whom the contract is now made are to have the right of toll, and certain exclusive privileges.

2. NEW MODE OF WORKING BOAT GUNS.—All the naval captains of the ships at the port,



assembled on board his majesty's ship *Galatea*, at Spithead, to inspect the working of her boat guns (carronades), which had been fitted by lieutenant Halahan, R.N. on his new plan, with springs, to do away the necessity of tackles, and consequently the labour of running the guns out. The pinnaces of the *Galatea* and *Pyramus* had their guns mounted, the former according to the present invention, the latter on the usual plan. At a signal given, both boats commenced firing together, and continued to do so about four minutes and a half, during which time, the *Pyramus's* pinnace fired eight rounds, to do which the men were obliged to lay in the three foremost oars on each side, whilst the *Galatea's* boat fired thirteen rounds, and the men had no occasion to lay in more than one oar on each side. The advantages of lieutenant Halahan's plan, therefore, were most evidently proved, especially as the boat can pull at the same time that the guns are worked. Besides, the recoil is so slight, that, during the thirteen rounds that were fired, the gun did not once come back to the breeching. Thus any boat capable of bearing the weight of a gun, may have one mounted, and fire it as often as may be wished, without the least risk of either shaking or straining the boat. Moreover, the machinery is so very simple, that it can be taken off, and replaced in two minutes, and, when off, the gun is the same as any other. The inspecting officers were unanimous in approving of this important improvement in naval gunnery.

**SUPERSTITION.**—A trial has taken place at Liege, which disclosed circumstances of the most stupid superstition and inhuman

cruelty. Pierre Arnold Jehoulet, and his three sons, Pierre Joseph, Lambert, and Alexander, stood charged with having, on the 10th of April, in their own house, inflicted various blows and wounds upon the widow Jean Riguelle, a labouring woman, residing at Moha, the result of which was a malady that incapacitated her from working for the space of twenty days. After the indictment was drawn up, she died. The following is the account given of what took place on the above-mentioned day, by the widow Riguelle, on her examination by the burgomaster:—She went about three o'clock on the 10th of April to Jehoulet's house with some flax, which he had given her to spin. Jehoulet, after taking the thread from her, said, that he was very unhappy; that within a short time he had lost two of his children, that he was overwhelmed with other misfortunes which he could attribute only to the influence of four witches, who were in the village; that she was one of them, and that, if she did not immediately tell the names of her sister witches, he would roast her over the fire. It was in vain that she declared her innocence of this extraordinary charge; Jehoulet went to the yard, and brought in a bundle of firewood, half of which he threw upon the fire, and when it was lighted, Lambert and Alexander Jehoulet seized her, and, after pulling her clothes over her head, held her over the fire, one by the feet and the other by the head, until the father told them to remove her, saying, that she had now suffered enough to make her avow her enchantments. Jehoulet not being able, however, to get an avowal from her, threw out the burning



embers upon the hearth-stone, and placed her on them. She immediately fainted away. On recovering her senses, Jehoulet put the same questions to her, and not receiving the desired answers, he said to one of his sons, "We must make an end of her, and she will not be the last that should be served in the same manner; we must burn her alive." Joseph then threw the remainder of the faggots upon the fire, and when they blazed up, the woman was held over them. This fresh torture not drawing the required confession from her, Joseph became furious, and swore that he would force her to confess that she was a witch, and that she was in compact with the devil, or he would kill her. He then took a foil in one hand, and a chain in the other, with the latter of which he threatened to hang her up the chimney; and, as she still persisted in declaring her innocence, he wounded her in the breast with the foil. Jehoulet then asked her if she would undo her spells? And upon her saying that she had none to undo, he asked her if she would renounce the devil? To which she replied, that she would renounce any thing he wished her to renounce. He then told her to quit the house, at the same time giving her a kick. When she got to the door, he ran after her, pulled up her clothes, and tore away the burned skin and flesh from her back.

### 3. EXPLOSION OF A DISTILLERY.

—The neighbourhood of Leonard-street, Shoreditch, was thrown into a state of confusion and alarm, in consequence of a violent explosion at No. 92, in that street. In a few seconds after the crash, when all the windows, and the bulk-head of the house, where it originated,

were carried away, and the ceiling of the kitchen was also raised from its rafters, a man, named Asher, who lodged in the house, was observed lowering his wife and child into the street by means of ropes, from one of the windows, and he himself leaped from the leads without receiving any injury. The house was then discovered to be on fire in several places; engines soon arrived, and, on the men entering the house, they found it in such a state of confusion, that it was utterly impossible to tell where the explosion originated, or what caused it, as the landlord was perfectly ignorant of there being any thing in the house to produce it. However, from the circumstance of Asher not being to be found in the neighbourhood, it was immediately suspected that he had been carrying on some illegal practice in the apartments he occupied, viz., the kitchen and second floor. When the fire and alarm had in some degree ceased, the firemen proceeded into the kitchen, which, to their astonishment, they found fitted up in a very convenient manner as a private distillery, which had been at work, with about 184 gallons of wash, and other ingredients for the distillation of spirits. There were wash-backs vats, and every thing proper for use; and, from the appearance of things, it would appear that Asher, who had not lived there long, had been working of spirits, when, from the bad construction of the still and brick-work, the whole exploded.

ANTIQUITIES.—An antiquarian discovery of some interest has been made during the recent improvements this year in the Thames navigation. The tradition of the precise station of the Cowig stakes, supposed to be set down where



Cæsar crossed the Thames had been for some time lost, though it was known to be between Weybridge and Walton. In deepening the river about 200 yards above Walton bridge, a line of old broken piles was discovered, some five feet below the previous bed of the river. They were about as thick as a man's thigh. Many have been drawn, and are in possession of the gentlemen in the neighbourhood.

**FIRE AT CONSTANTINOPLE.**—*Constantinople Sept. 7.*—The taking down of the standard of the Prophet, which was to have taken place on the 31st August, was necessarily delayed to the 2nd of September, on account of the dreadful fire which broke out at Constantinople just before the hour when the several officers of state were to assemble for this ceremony. This fire, which has destroyed nearly an eighth part of this immense capital (about 6,000 houses), continued for thirty-six hours. The violence of the wind, the want of water, and the extraordinary drought, lessened the efficacy of the succour which the public authorities directed, with indefatigable zeal, to the various parts to which the flames extended. The immense magazines, known by the name of khans, besestins, and tscharschis, the hotels of almost all the ministers and great officers of the empire, the palace of the grand vizier, called the Sublime Porte, the palace of the Armenian patriarch, with the patriarchal church, and many other public buildings, are reduced to ashes. The loss of the government is estimated at above six millions of piastres; that of the Turkish and Armenian merchants and tradesmen, at above 50 millions. It has not been cer-

tainly discovered, whether this disaster is to be ascribed to accident or malice; many circumstances indicate, that, if the origin was accidental, it was propagated by the discontented, for it is certain that the fire broke out all at once in very distant quarters, where neither the direction nor the force of the wind could have carried it. The measures adopted by the grand vizier, in concert with the seraskier, were as energetic as rapid. About 8,000 troops and four brigades of field artillery, were stationed in the interior of the seraglio, in order of battle; all the streets were occupied by soldiers, and no rioters ventured any where to show themselves. The sultan has opened all the gates of his palace to receive the unfortunate families that seek an asylum; several thousand women and children are lodged in palaces belonging to the government; others have received ample pecuniary relief. A part of the magazines will be rebuilt at the expense of the government, and the building of the new barracks is deferred, till after the erection of the public buildings, which are indispensable to commerce. The seraskier mingled with the firemen, to encourage them, and worked with all his strength for two hours; and the chiefs of the several corps vied with him in activity and exertion to preserve order. The great majority of the people ascribe this misfortune to the cruel vengeance of the janisseries, who are become objects of universal execration. The sultan, to stop one source of discontent, which might lead to a re-action, has resolved to revoke the firman which abolished, without distinction, all the essames issued after



the war in Egypt. Partial payments have already been made to several thousand individuals, whose demands were rejected a few days before. The standard of Mahomet was replaced on the 2nd, with the usual ceremonies, in the apartment allotted for the preservation of the relics of the prophet. At the same time the camp in the interior of the seraglio was broken up, and the grand vizier, accompanied by all the ministers, went to the former palace of the aga of the janissaries, which, after the events of the 15th June, was assigned to the chief mufti. Another residence will be assigned to the latter, which the sultan will select for him."

9. FIRE AT SHEERNESS.—On Friday morning, about half-past four o'clock, the inhabitants of Blue Town were alarmed by a fire breaking out in the stables belonging to Mr. Clarkson, of the Fountain Inn. Assistance was promptly rendered, but the flames had acquired such power, that, before they could be subdued, no fewer than ten dwelling-houses became the prey of the devouring element, together with the whole of the stabling and coach-houses, including five horses, a coach, hearse, post-chaise, gig, &c. which were entirely consumed. The officers and men of his majesty's ships Brunel and Gloucester, as well as those from the Dock-yard, exerted themselves in the most praiseworthy manner; and happily succeeded, with the engine belonging to the naval establishments, in arresting the progress of the calamity.

HORRID OCCURRENCE.—On Friday afternoon, a man named William Timpson, residing in Park-street Birmingham, presented

himself at the prison, and stated that he had murdered his wife. From his decisive manner, and upon further inquiries, the officers were induced to proceed to his residence, where, upon opening the door, they found the report but too strictly verified, as the poor woman lay in the kitchen with her head nearly severed from her body. A large clasp knife with which Timpson stated he had committed the act, lay in the room. Upon being questioned on the subject, he said that he had no enmity towards his wife, and could not account for his having been actuated to commit so dreadful a crime.

RIOTS AT TILDESLEY.—No fewer than twenty-three men and women were brought up this morning, charged with rioting at the cotton-mills of John Jones, esq. of Tildesley, on Wednesday last, where about two hundred persons assembled; and with violently assaulting him and several others, as well as the constable, in the execution of his duty, in the apprehending of Henry Pendlebury, charged with rioting at the same mills on the 23rd of September. There were twelve depositions read of the ill-treatment received on that day. The solicitor on the part of the prisoners offering no evidence; they were bound in recognizances to keep the peace, and to answer for the riot and assault at the next Kirkdale sessions; and the parties were bound over to prosecute. Three hundred weavers entered the town this morning, but every thing remained quiet.

10. HYDROPHOBIA.—This week occurred a fatal case of hydrophobia in Salford, arising from the bite of a cat. The sufferer was



Ann Baldwin, a widow, aged about 53 years, living in Gravel-lane, Salford, and was generally employed as a washerwoman. About three months ago, she was washing at Mrs. Worrall's, in Broughton-street (not 100 yards from the place where Mr. Vaughan was bitten), when a strange cat entered the wash-house, and was attacked by two dogs belonging to Mrs. Worrall. Mrs. Baldwin endeavoured to extricate the cat from the dogs, when it fixed its teeth upon the fore finger of her right hand, and caused a severe wound, and though the wound was painful, she continued in her employment during the remainder of the day, but it increased in soreness, and an inflammation succeeded, extending up the fore arm. It was treated by fomentation and leeches, but without the advice of any medical gentleman, and the wound gradually healed. At intervals, however, she complained of pains in her hand and arm, and frequently referred to the bite she had had from the cat. On Thursday and Friday last, she complained of having more than usual pain in her hand and arm. Until Friday morning she continued to follow her employment; on that day the pain extended to her back and shoulders, and was accompanied by frequent shiverings. She passed a very restless night, and the symptoms of the very dreadful disorder became apparent, and increased in violence every hour. Early on Saturday morning Mr. Firnley visited her, and found her labouring under an evident spasmodic affection of the muscles and throat. In the afternoon, the paroxysms were of the most distressing kind, but she seemed sensible of her situation, and referred

frequently to the cat having bitten her, but sometimes calling it a dog; during the time the tongue and fauces were dry, and of a brown colour. It was with much difficulty she could show her tongue; and when she had done so, she invariably seemed ashamed, and hid her face. In this state she continued till a late hour on Saturday night, when death put an end to her sufferings. She was attended during the last stage of her illness by a number of medical gentlemen, who tried nearly all the remedies which had been recommended, but apparently without the slightest effect, even in alleviating the symptoms under which she laboured. Amongst other things, an injection of the acetate of morphine into circulation was several times tried, but no benefit was experienced from it.

10. NARROW ESCAPE.—On Friday a little boy, whilst playing on the cliff at Dover, approached too near the edge, and fell down a height of nearly 100 feet. He was carried to the shop of Mr. Mitchell, chemist, in Snargate-street, when it was found that he had only received a slight injury.

11. At a night review of the miners of Schemnitz, by two of the archdukes of Austria, the whole appeared clad in their working dresses, bearing all their implements, and each person having in his hand the lamp with which he descends into the mine. By an ingenious and well-contrived movement of the corps, when the archdukes came to view them from the balcony of the director's house, they were so arranged that their lamps, as they stood, exhibited the initials A. and R. in illuminated letters, covering, in an instant, the whole square.



12. RIOT AT OLDHAM.—There has been for several weeks a disagreement between the masters and the operative spinners of Oldham, in consequence of a reduction of wages. Those who were willing to continue their employment, were forced from it by the turn-outs, and the consequence was, a complete cessation of labour in those mills in which the new prices had been introduced. Thus situated, some of the masters engaged spinners from a distance. These new-comers were of course extremely obnoxious to the turn-outs, and the whole neighbourhood has been in a state of turmoil ever since their arrival, and numerous outrages have been committed. The new spinners were lodged in places of security near the mills. On Saturday morning last, one of the new hands in the employment of Messrs. Lees and Sons, received information that his sister who resides in Oldham, about a mile from the factory, was dangerously ill, and wished to see him. As he durst not go so far alone, he prevailed upon Mr. John Lees to accompany him. They were soon surrounded by some hundreds of persons, who used such menacing language, that they deemed it prudent to take shelter in the house of Mr. Chadwick, the deputy constable. They stayed there about an hour, during which time the mob dispersed. They then made their way forward, but had not proceeded many yards, when they were again impeded by the mob. They next attempted to return home. The mob assailed them with stones, and when they reached Mount Pleasant, they closed and began to kick and trample upon Mr. Lees and the workman. Mr. L. finding his life

in danger, drew a pistol from his pocket; this the people endeavoured to wrest from him, but fortunately without success. He finally escaped very severely bruised. In the afternoon of Saturday there was an assembly of the turn-outs in the fields and lanes near to Messrs. Lees and Sons' premises; few persons passed them without being very closely questioned as to their business; not a few were severely beaten on suspicion of being related to the newly-arrived spinners. One man a weaver was accused of being "a knobstick spinner," and so dreadfully maltreated as to have been under the necessity of keeping his bed for some time. — About seven o'clock, the lanes and fields were so completely taken possession of by the disaffected, that no person dared to venture out of his house, every one being threatened with death who stirred out. A man in the employment of Messrs. Collinge and Lancashire was recognized and pursued by about eighty men. He fortunately obtained shelter in a house, and made his escape by a back door. The watchmen of Messrs. C. and Co. were assailed with stones while on their duty: this they bore patiently for some hours; at length one of them fired his blunderbuss about three o'clock on Sunday morning. This was the signal for a general attack, and immense volleys of stones, some of them seven or eight pounds weight, were thrown by the mob. One party destroyed nearly all the windows in the house and warehouse of Messrs. Collinge and Lancashire; while another party demolished most of the windows of Mr. Lees' house at Mount Pleasant. — The mob was prevented



from committing further depredations by the vigorous preparations which had been made for receiving them. Sunday passed over without any remarkable breach of the peace. In the evening, however, the roads were again infested with numerous small gangs of turn-outs, who demanded of every passenger his business. One woman was accused of being the wife of "a knobstick spinner," and upon her denying it, a bundle which she had with her was searched, and a soiled shirt being found therein, it was considered an incontestible proof. The bundle was accordingly taken from her, together with what money she had about her, and she was beaten so severely as to be prevented reaching home that night. Another woman was accused of being related to one of the spinners employed by Messrs. Lees and Sons, and was knocked down by a fellow, who seized her by the throat, and kneeled upon her until the blood gushed out of her mouth; he then left her in a state of insensibility. There appears at present not the least hopes of a reconciliation between the masters and their old workmen who express themselves determined to have the new spinners out of the town, and to have the prices which they have demanded.

14. **SERIOUS ACCIDENT.** — A part of the extensive premises, situated in Bartholomew-close, in the possession of Mr. Edward Sherman, proprietor of the extensive coach and waggon offices, known as the Bull and Mouth and Oxford Arms Inns were reduced to ruins, by the falling-in of the upper story. The premises were occupied as a depository for waggons and coaches on the ground-

floor, there being little room at the Bull and Mouth Inn. The basement was fitted up as stables for about fifty or sixty horses, and the three upper stories were used as granaries for the preservation of corn, an immense stock of which was at all times necessary for the support of the very great number of horses on the establishment. About half-past two, the floor of the fourth story gave way, making a tremendous noise, carrying havoc and devastation in its course. The lower floors went with the force of the concussion, and the bearings of the ground-floor instantly gave way with the united weight of three stories, each heavily laden with grain. Thus were buried in confusion several horses, and one waggon, two men, and all the grain. The most prompt assistance was immediately rendered by the whole strength of the united establishments; and, after about four hours incessant labour, during which the persons occupied in clearing the ruins, in order to extricate the horses and men, had first to get out most of the coaches and waggons, they succeeded in rescuing all the horses except three, valued at about sixty pounds each. One of these, at first, showed signs of life, but ultimately expired. The two men escaped without broken bones—one of them, by a miraculous intervention of Providence, scarcely hurt; the other most severely bruised in every part of his limbs and body; so much so, that he was obliged to be carried to Saint Bartholomew's Hospital.

15. **PEDESTRIANISM.** — Mr. G. West started on Saturday to accomplish forty-eight miles in nine hours, the start to take place from the top of Sloane-street, to the



Buckinghamshire foot of Maidenhead Bridge, and to return to half-a-mile beyond Hammersmith, on the London side. It was for a bet of 100 sovereigns, and twenty more if it was done in twenty minutes under the given time. The pedestrian reached Slough (twenty miles) in three hours, and completed half the distance in four hours and ten minutes. He returned back to the Half-way house on the Maidenhead side of Colnbrook, ate a hearty breakfast, and left himself something less than eighteen miles to be done in four hours. He won his match with eleven minutes to spare, and of course lost the second bet.

16. MURDERS NEAR FETCHAM COMMON.—On Friday morning, the neighbourhood of Leatherhead was thrown into a state of excitation, in consequence of the barbarous murder of two aged individuals, who resided on the borders of Fetcham Common.—John Akehurst, a helpless old man, aged 96, and his housekeeper, Elizabeth Haines, aged 74. It was generally rumoured in the neighbourhood, that the old man was possessed of some property, as the house and some acres of land adjoining it were in his possession, and it is supposed that the miscreants were prompted to the commission of the murder, in the expectation of finding money, the produce of the fruit, which had been extremely plentiful this season, in the grounds belonging to the old man. The murder, which was perpetrated either on Thursday night, or early on Friday morning, was first discovered by a man named Brown, who had been recently employed by the deceased to gather in his crop of apples, and who left his home on Friday morning, at six o'clock, for

the purpose of commencing his daily work on the old man's premises. When he came near the cottage, he called out the name of Elizabeth Haines, and not receiving an answer, as he was accustomed, from the old woman, he approached nearer the house, and was astonished on observing the door, as well as one of the windows on the ground-floor, wide open. He at once suspected that something dreadful had happened, and repeatedly called the inmates by their names, but received no answer. The man then hurried off with all the speed he could, to inform his parents of the circumstance. His mother, Mrs. Bennet, accompanied him back to the cottage, and proceeded up stairs, and beholding, when at the head of the staircase, the corpse of Elizabeth Haines, she was so much terrified that she ran down stairs, and immediately sent off to Mr. Gibbs, a gentleman in whose employment her husband worked. Mr. Gibbs lost no time in visiting the scene of murder, and immediately despatched messengers to the different county magistrates resident in the immediate neighbourhood. Information was also despatched to Union Hall Police-office, from whence Mr. Hall, the chief constable, together with Richard Pople, an officer of the establishment, proceeded in a post-chaise and four, and soon arrived at the cottage where the murder was committed. Several magistrates were in waiting for the officers, and had given previous directions that neither of the bodies of the murdered persons should be moved from the positions in which they first appeared on the discovery. The officers accordingly proceeded to examine the premises; and at



once discovered that the house had been entered by taking a small pane of glass out of the window that led into the washhouse, and by removing a very slight iron bar. None of the property below stairs appeared to have been touched. The officers then ascended into the rooms up stairs, in one of those at the head of the stair-case the female slept, at the extreme end of which was a door, leading into that occupied by the old man. On entering this room, the woman was observed lying on her back, with her feet towards the door. There was a pool of blood surrounding her head, the back part of which was fractured in a shocking manner, apparently by a blow from a heavy bludgeon, or some blunt instrument. There were black marks on her neck, as if an attempt had been made to strangle her; and one of her hands was bruised, apparently in consequence of holding it up to avert the blows of her murderer. To the right of the door the body of the old man lay extended on the bed, both the hands were raised over the head, as if defending it from the blows of the assassin. The knuckles and back part of the hands were dreadfully lacerated, and on the right side of his head, a little above the ear, appeared the wound that had caused his death. The bed-clothes were streaming with gore, and his night-cap, which was lying close alongside the pillow, was saturated with blood. As soon as the officers had minutely examined each of the bodies, they proceeded to search the room, to discover whether the murderers had left behind them any clue by which it would be possible to trace them. Nothing, however, was found, to throw the slightest pos-

sible light on the discovery of the perpetrators. The chests in the upper rooms, occupied by the deceased persons, were found to have been rummaged; but none of the property which they contained, consisting of clothes, together with the will of the old man, bequeathing his little cottage and spot of ground to his daughter, was taken away. On questioning several of the persons who reside in the neighbourhood, and who, it appears, were well acquainted with the deceased, it did not seem that a vestige of property belonging to the old people had been taken off the premises. Indeed there was nothing of any value in the place. Notwithstanding the vigilance of the magistrates, nothing transpired to throw any light on the horrible affair.

17. MELANCHOLY FATALITY.—*Lisbon.*—On Saturday last, a private soldier, belonging to the 6th regiment of the line, and stationed in the barracks in this city, was condemned to be shot for desertion, and for uttering various disloyal and seditious words, with intent to seduce others of his corps from their sworn allegiance. The prisoner, after receiving the last offices of religion, was brought forth, accompanied by two Catholic priests, and escorted by forty soldiers of his own regiment to the place of execution, which was on the Campo Grande, a short distance from the city. His coffin was carried before him, which tended considerably to heighten the solemnity of the scene. He kneeled and prayed frequently on the way, which, in consequence, prolonged the time of going. About ten o'clock he arrived at the fatal spot. At eleven he was ordered to march round the troops



to admonish them, the two priests dictating what he said to his comrades; after which, he returned to his former place, where he fell a victim to an overacting on the part of the commanding officer. There were nine picked men ordered to shoot him. He kneeled, and was desired by the officer to pull the cap over his face, which he did; and whilst the officer turned round (to take a reprieve from his pocket) the poor fellow dropped his handkerchief from his hand, which being understood by the men who were to shoot him as a signal to fire, they did so, and six bullets taking effect in different parts of his body, he fell a corpse. The officer had received the reprieve only that morning, privately, but in endeavouring to convey a salutary dread of the crime (which in the existing state of affairs in Lisbon was considered necessary), and to heighten the terror of the scene, ere he produced the pardon, he over-acted his part, and the poor fellow lost his life.

**FIRE APPARATUS.**—Last week, a trial was made of a very ingenious apparatus for aiding the action of fire-engines. The great disadvantage of these machines at present is, that they cannot be employed with much effect against a fire in any apartment more than twenty or thirty feet from the ground. The apparatus which is intended to remedy this defect, consists of two parts—a frame which folds together, and can be carried on the shoulders of four men, and a slender mast fifty feet high, which can be carried by three men. The frame, when put into its position, consists chiefly of three legs, two of them slender poles, and the third a ladder, which meet

at a point of eighteen or twenty feet from the ground, like a triangle used for weighing. At the top is an iron ring moving vertically on a joint. The mast is placed nearly horizontally, and pushed through the ring eighteen or twenty feet. It is then brought to a perpendicular position; its foot is placed in a socket below, while the ring confining it above, it is thus kept steady in its upright situation. The nozzle of the pipe is then made fast to a small apparatus, that slides on the mast, and has a joint turning vertically. A pulley and rope, passing over the top of the mast, pulls the nozzle up to any height. A second pulley levels or points the nozzle, so as to send the water either upwards or downwards, and a lever at the bottom, which turns the mast round, enables the firemen to change the direction of the pipe horizontally. The command over the height, position, and direction of the pipe, at any altitude not exceeding fifty feet, is thus complete. It is another advantage of the apparatus, that it can be erected within the narrowest lane. The trial made, on Wednesday morning, was very satisfactory. The inventor is Mr. Robert Brown, architect.

**MYSTERIOUS AFFAIR.**—About two years and a half ago, a fine male infant, about four or five months old, was placed at nurse by a lady and gentleman of apparently great respectability. The gentleman first called to view the situation, and, after making many inquiries, said he was satisfied. This assurance he afterwards repeated by a letter to the nurse, mentioning the day on which the child might be expected. A day or two afterwards, a well-dressed



female brought the child, which she said was the infant the gentleman had previously called about, and that it was four months old; remarking at the same time, that the child was not her own, but that of a friend who was ill, and then at Brighton. She then inquired whether the nurse had received a letter from the gentleman who had called, and whether the postage had been paid; observing that it was a frequent practice among servants, after receiving money for the purpose of paying postage, to pocket it, and let the letter go unpaid. The nurse said, she certainly had received the letter, of which, however, the postage had not been paid. She thereupon gave the letter into the hands of the lady, who immediately put it in her pocket, for the supposed purpose of charging the servants with the fraud. After presenting the nurse with a sovereign, and a card of address (where the nurse might apply, should any thing be wanting), she took her leave, assuring the nurse, that she should frequently call and see the child. The very respectable appearance of the parties banished all suspicion from the mind of the nurse; but no one having called, and the child being in want of necessaries, she applied according to the direction on the card, when she discovered, to her utter astonishment, that the card was a deception; in consequence of which, being a woman in humble life, and unable to maintain the child, she was proceeding with it to a workhouse, when the circumstance came under the observation of Mr. Bishop, the principal officer of his majesty's gaol of Newgate. He immediately took the deserted infant under his protection, and has ever since

brought it up, and maintained it, as a child of his own, at his private cost.

19. HIGHLAND SOCIETY.—The sports of the week at Perth commenced on Tuesday with the Highland Society games. At 11 o'clock, the president and members proceeded to the top of the North Inch, where a large area was inclosed with stakes and ropes, with a platform in the centre for the exhibition of the pipers and dancers. A party of the 93rd Highlanders had been appointed to keep the ground and preserve order, but they, for some unaccountable reason, had been ordered out to take their station at 12 o'clock, an hour after the time of meeting. Before their arrival, a crowd of spectators, estimated at not less than 10,000, had assembled; and, as a rather promiscuous, and by far too numerous admission, to an inner circle, within the lists was permitted, the view of the crowd being completely obstructed, they became turbulent, tore up the stakes and ropes, and pressed forward to the circle within. The handful of the 93rd completely failed in restoring order; and even when a party of the 7th Hussars arrived, the mob was in too much confusion to be arranged in their former station by any means which could have been advisable on the occasion. The sports were, consequently, much obstructed, and it was impossible to witness them with any degree of comfort. The musical competitors displayed much skill, and the dancers great agility and spirit. Great strength and dexterity were exhibited in the other gymnastic exercises, particularly by Peter M'Dougal, from the Braes of Fess, who far outshone any of his athletic compe-



titors. The sports, upon the whole, were calculated to afford much amusement, had the confusion in the ground not marred it in a great degree. The following was the result of the competition—First:—To the best player of ancient Highland pibrochs, on the grand Highland bagpipe—A handsome ivory-mounted bagpipe, awarded to Angus Munro, piper to the 93rd foot.—Second: A handsome silver-mounted snuff mull, with Cairngorum stone; gained by Roderick M'Kay, piper to James Moray, esq. of Abercairney, as second best player on the bagpipe.—Third: To the best dancer of a Highland reel—A handsome silver-mounted dirk, awarded to Angus Cameron, Rannoch.—Fourth: To the best thrower of the Putting-stone—A handsome silver-mounted snuff mull, gained by Peter M'Dougal, Braes of Fess.—Fifth: To the best thrower of the hammer and tosser of the bar—A silver-mounted powder-horn, gained by the said Peter M'Dougal.—Sixth: To the best leaper—A sporan mollach, gained by James Robertson, Abercairney.—Seventh: To the best dressed Highlander—A Tartan plaid, to Angus Cameron, Rannoch.

**RUSSIAN GOLD MINES.**—The quantity of gold and platina obtained from the mines in the first six months of this year, is as follows:—1st. From the mines of the Crown—gold, 37 poods 14 lbs.; platina, 2 poods 5½ lbs. 2nd. From the mines belonging to private persons—gold, 82 poods 33¾ lbs.; platina, 7 poods 17 lbs. A pood is 40 Russian pounds, equal to 36 lbs. English.

**23. WRESTLING MATCH—Devonport.**—The grand match for the

championship of Devon and Cornwall took place this day, on a large green at Devonport, surrounded by high walls, wherein seats had been erected for 10,000 persons, and so great was the interest excited, that some thousands more than this number were present. The receipts at the gates were full 700*l*. Polkinghorne, the Cornish champion, entered the ring at twelve o'clock, and was received with great applause. In half an hour after, Cann made his appearance, and was also welcomed by his friends with reiterated cheers. The match was for 200 sovereigns, the best of three back falls, fifteen minutes time between each fall. Cann had this year borne away the prize wherever he appeared, and, in fact, had never been thrown in a wrestling ring. Polkinghorne was but little known as a wrestler. He merely came forward to accept Cann's challenge. Cornwall has many better men, though Polkinghorne was, nevertheless, considered a fair match for the Devonshire hero.—After a severe struggle, during which Polkinghorne was much kicked, and each man was several times thrown to the ground, the Cornishman hugged his antagonist, and succeeded in hurling him over his head, dashing him with great force to the earth. This was decided a fair back fall, amidst astounding uproar. Cann had thus met his match for the first time, and though he is undoubtedly game to the bone, the effect of his humiliation was apparent. He, however, appeared again on the field after the lapse of fifteen minutes, and showed beautiful play. His friends mustered courage, and two to one was offered, that he threw his man the next fall. Polkinghorne was, neverthe-



less, on the alert, and seemed bent on maintaining the high character of his county. Several falls on either side followed, some of them showing capital science, and much energy was displayed by both men. Cann's kicks began to tell, and it was evident that Polkinghorne, who played after the manner of his county (without shoes), suffered much from the Devonshire practice of kicking with heel and toe, which Cann administered with much good-will, though the Cornishman taught him to be cautious. The triers were divided on one of the falls, two of them considering that Cann had thrown the Cornishman a fair back fall, while the other two as strenuously maintained that it was not a fair fall. It was decided by a toss in favour of Polkinghorne, as not being a fair back fall. The men set to again, and after nearly two hours' arduous play, which exhibited the different science of the two counties to the best advantage, Polkinghorne threw Cann a violent fall, on the fairness of which the triers were again divided; but the Cornishman's committee considering it a fair back fall, refused to suffer Polkinghorne again to enter the ring, and in this state the match remained, as, by one of the articles of agreement, it was stipulated that the triers should be unanimous in their decision.

**WANT OF NATURAL FEELING.**—An Irish woman, apparently about forty years of age, went into the shop of a respectable surgeon, in Glasgow, and offered to sell him, for dissection, a fine living healthy child of her own, about two months old. The price demanded was seven pounds. The surgeon, wishing to see how far the wretch's inhumanity would go, said, he was afraid she would return and trouble

him afterwards. She replied, that so far from returning about the infant, she was willing also to sell him her son, thirteen years of age, whom he might kill, and boil, or do what he liked with him. She then stipulated to retain the infant's clothes; and actually began to strip them off the intended victim. In doing this her eyes filled with tears. The surgeon remarked, that she had an affection for the child, and had better keep it. She replied no, she would part with it; and dried her tears. The surgeon sent her to the police office, and a warrant was also issued against the husband; but he had been some time separated from the woman, and declared his ignorance of the affair.

**24. OPENING A GRAVE FOR TEETH.**—On Wednesday, John Foxley was charged with having, at Birmingham, on the 20th of July last, violated and disturbed the remains of Jonathan Bedford, who had been buried in St. Bartholomew's chapel-yard. The body, which was that of a young man, 19 years of age, had been interred on the 19th July. The prisoner, who was a grave-digger, was seen at the grave, at eight o'clock the next morning, by a little girl, who thought the grave had been opened. In consequence, the chapel-wardens were applied to, and they permitted the grave to be opened. The coffin lid was broken, the head of the deceased was shockingly cut and mangled, and the teeth had been taken from the jaws. On the prisoner being asked what he had been digging at the grave for, he said he had lost a rope in filling up the grave, and had taken out some of the earth to look for it. He was found guilty, and sentenced to be imprisoned three calendar months in gaol.



**SINGULAR ACCIDENT.**—About seven o'clock on Sunday morning, as one George Byers was proceeding through John-street, Oxford-street, to his stables, he was alarmed by the cries of a female issuing from a cellar; on listening, he heard her supplicating for help, and calling out murder. Alarmed at the cries, he instantly knocked at the house door, but no person answered; in the mean time the cries of the female became much weaker. At length two other persons came up, to whom Byers told the matter, and they proceeded to force open one of the shutters, when at that instant the door was opened, and they instantly rushed in and proceeded down stairs to the kitchen; a faint cry issued from a vault under the street, to which they proceeded, and there on examining they made the following singular discovery:—the vault, which was paved with flag stones, contained a well; the stone that covered the mouth of it had fallen in during the night, and a young woman, a servant in the house, in going through the vault, was precipitated into the water.—The aperture was so small as to prevent any person from descending to her assistance, and the only mode of delivering her from her perilous situation was by a ladder, which after some time was procured, and to the lower end of which was fixed a jack-towel; it was then lowered down, and she was thus drawn up. She stated that she was going for some shavings when she fell downwards, not knowing where she was going; she caught hold of the bricks on each side, and thus remained suspended. On examination, it appeared that the well was about 20 feet deep, and about half filled with water; it had been closed up for a considerable time,

and, in fact, it was not known to be in existence. The family, who slept in the back part of the house, would have been unconscious of the fate of the poor girl, had not her cries been providentially heard in the street. Excepting some bruises on her back, she sustained no injury.

**25. FUNERAL OF TALMA.**—According to his last desire, the remains of Talma were carried direct from his house, to the cemetery of Père la Chaise. At ten o'clock, the funeral procession set out. It consisted of a magnificent hearse drawn by four horses, fifteen mourning coaches, Talma's carriage, with those of Mlle. Mars and Mlle. Duchesnois, and two or three other empty ones, having their curtains lowered. In an open carriage was Madame Roustan (Mlle. Volnais) in mourning, and in a second, which immediately followed, were M. Ancelot and M. Soumet, and in a third were M. Casimir Perrier and his two sons. In the first mourning coach were seated M. Arhault, sen. and M. de Jouy, habited in the costume of the Institute. All the others were empty, the fineness of the weather having allowed Talma's friends, who were to have gone in them, to follow the procession on foot, which they preferred. The number of persons composing it may be estimated at three or four thousand, almost all young persons, at the head of whom walked several distinguished by decorations; among the rest, M. Mechin, in his costume as a deputy, and the performers of the Theatres Royal, all bare-headed, marching in the greatest order and silence. The place of sepulture was on one of the heights to the right, not far from the monument of marshal Massena, and bordering upon that of the Despaux family. Midway



up the steep leading to it, the hearse stopped; twelve young men then carried the coffin to the borders of the grave destined to receive it. From an early hour in the morning, a considerable crowd, amounting, perhaps, to 20,000 persons, had filled the cemetery, and when the coffin was brought into it, they assembled round the tomb. It was not without difficulty that the persons carrying the coffin, with the friends, and even the orators themselves, (for several silly harangues were pronounced at the grave) were able to get within the circle.

30. POISONING. — Jacob Evans was indicted for administering to one Camp Collins, a certain quantity of decoction of foxglove, and thereby causing his death. The prisoner was one of those empirics, by whose ignorance health, and not unfrequently, as in this case, life is sacrificed. The deceased was an apprentice to a cabinet maker, in Clerkenwell, and was troubled with a giddiness in his head. Evans, who had written a book upon the use of herbs, was requested by the mother of the youth to do something to relieve him; to effect this, he administered a dose, which Mr. Whitmore, a surgeon, of Cold-Bath-fields, described as being one hundred and forty-four times stronger than the usual extreme dose used by the faculty. The symptoms described by the surgeon were such as would attend death by vegetable narcotic poison. The prisoner admitted the facts, and pleaded ignorance. A verdict of Not Guilty being recorded, the Court addressed the prisoner as follows:—"For God's sake, prisoner, never let me see you here again; go and repent of the mischief you have done, and never administer medicine again."

31. SLAVE TRADE. — There were 26,533 slaves embarked on board Brazilian vessels, on the African coast, between the first of July, 1825, and the first of July 1826, for the Rio de Janeiro market. Of these poor creatures, 1,540 died on the passage; and 24,728 were landed at the Brazilian capital. The traffic in human flesh and blood must be uncommonly active, when nearly 25,000 unfortunate Africans are annually imported into Rio alone.

RATS' TAILS AND BIRDS' HEADS. — A whimsical return appears in the Mauritius Gazette. It is printed by order of government, in pursuance of a proclamation, made in February, 1825, for the destruction of rats and birds, which form the plague of the island. The rats' tails from eight districts amount to the almost incredible number of 830,473, and the birds' heads to 238,549 in one twelve-month. The document is signed G. A. Barry, chief secretary of the government.

BOARD OF TRADE, &c. DOWNING-STREET. — This magnificent range of building has been lately opened to public view. Although merely a portion of the projected design—the present façade forming only the centre and south east pavilion of the north wing—this is, even in its present state, one of the most splendid edifices in the metropolis. The front is entirely of stone, and consists of a Corinthian order, raised a few feet above the level of the street, one sub-basement, before the area to which is a massy stone ballustrade. Ten three-quarter columns, with fluted shafts, and highly-wrought capitals and entablature, occupy the centre; the end pavilion has six columns of the same order boldly advanced,



from the wall, and a similar pavilion will be erected at the other extremity. Within this order is a principal floor and mezzanine, and handsome doors of entrance. The summit is surmounted by a ballustrade, above which, at some little distance beyond it, rises a second ballustrade, which is not only a novel, but agreeable, feature, as it produces a highly picturesque effect, and variety of surface, without disturbing the repose of the composition. It is intended to erect a corresponding wing or façade to the south and to convert Downing-street into an avenue, in the same style of architecture, conducting into the Park, through a triumphal archway. These two splendid palaces, separated by a street of equal magnificence, will form a scene surpassing in architectural splendor any other in the metropolis, with the exception of the new façade of the Bank. Like the latter edifice, this structure is erected from the designs of Mr. Soane; and it is difficult to say which of the two will be the noblest monument of his talents. Here the order itself is of a more elegant and highly decorated character; yet the Bank must certainly be allowed to display greater originality of design, more picturesque combination, and more novel and varied accessories.

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#### NOVEMBER.

1. OLD BAILEY. — Frederick Justice Latham was indicted for stealing from his employers, Messrs. Warren and Co., of Rood-lane, sundry Bank of England notes and sovereigns, their property; and Charles Singleton, a young gentleman of good connexions, was also

indicted for receiving the same, knowing them to be stolen.

The case proved was the following:—The prosecutors are eminent grocers in the city of London, and Latham was their confidential clerk, and used to pay the duties on sugar. In the prosecutors' business there was a cash drawer, in which the receipts of the day were placed, and when any money was required for duties, or other matters, it was customary to take it from this drawer. On the 15th of September the prisoner, as was usual, wrote, in a waste book, an entry, signifying that 740*l.* and a fraction was required for duty on sugar; he then took from the cash drawer 416*l.*, and 150*l.*, but in the cash book he entered 416*l.* only. He then applied to a partner of the house for a draft for the difference, to make up the 740*l.* entered in the waste book as the sum required for the duties: he accordingly received a draft at 11 o'clock on the morning of the 15th. This draft he changed at the Bank of England for five 20*l.* notes, seven 10*l.* notes, and the remainder in cash. The charge was for stealing or embezzling the notes and cash received at the Bank for this cheque. After Latham had been to the Bank, he did not return. The firm then adopted the most prudent means of preventing his escape; they despatched messengers or letters to the out-ports, and sent to Dover a clerk who knew Latham. This person arrived at Dover, and, on the quay, whence the steam packet was about to start for France, saw Latham on the point of embarking, and stopped him. Singleton, who was a clerk in the Ordnance office, and had been intimate with the other prisoner, came to Messrs. War-



ren and Co. on the 17th—he had seen a partner of the firm, to whom he had delivered a letter in explanation of his knowledge of the transaction, and had expressed his desire to give any further information in his power. The substance of this letter was, that Singleton had agreed to go with Latham to Boulogne—that, as the prisoner Latham had not obtained leave of absence, it had been deemed necessary, in getting passports, to take Latham's out in a fictitious name, but that Singleton had procured his in his own name—that he had been totally ignorant of the manner in which the money was procured, and of its amount, until he had arrived at Dover—that the moment he found that Latham had come by it improperly, he had tried to persuade him to return immediately to town, and that, having found his entreaties useless, he had returned to give up 70*l.*, and to explain, as far as he was able, all he knew of the transaction. The prisoners had been seen together between twelve and one o'clock on the day of the robbery, in Piccadilly—they had bought hosiery at one shop—clothes at a second—two portmanteaus at a third—they had dined at the Hyde-park hotel, where the waiter's suspicions had been excited by the fact of the portmanteaus being empty—had changed some of the notes received at the Bank for their various purchases—and had taken a post-chaise, and gone away in company. There was no proof of Singleton having been at Dover, except his own letter; but he had paid for some of the goods seven or eight pounds in gold—he had paid for the dinner at the hotel with one of the ten pound notes, and he had at Dartford paid away another.

The case for the prosecution being closed, Latham declined offering any defence, but Singleton addressed the Jury nearly as follows:—‘Gentlemen of the Jury; I may have acted incautiously and imprudently, but I am totally innocent of the charge for which I am now unfortunately standing in this awful situation. I was invited by the prisoner to go to France; I had some of my dearest relations residing at Boulogne, and the prisoner told me he had had a legacy left him, and that he would pay all the expenses; he was then in mourning, as if he had lost a friend. We had no time to get our clothes, and he said he had plenty of money to buy what we might want; he said that as he had not obtained leave of his employers, he would have his passport taken out in another name. Had I been guilty, or acquainted with the guilt of the prisoner, I should have availed myself of the same means of concealment; but I obtained my passport in my own name. We purchased the things we required, and went to Dover; here I began to suspect that Latham had not come by the money honestly, and I urged him to return to London with what remained; and having endeavoured in vain, I resolved on returning myself, for which purpose I came away in the van to Canterbury, leaving every thing behind me; took a post-chaise from thence, and arrived in London on Saturday night, too late to go to the employers of Latham. I forgot to mention, that on my arrival at Dover, I wrote to my uncle, saying I was going to Boulogne, and should return in three days; and, also, excusing myself for being absent without leave. The moment



I returned to London, I wrote to a young friend, requesting to know the name and address of Latham's employers; he came to me on Sunday morning, and walked with me towards their residence. I wrote the letter which has been produced; I wrote it in great agitation, and very hastily; I have made errors in it, perhaps, and omissions; I called with it myself, to give up the money which I had received of Latham, and to afford every information in my power relative to the transaction. Two persons whom I saw behaved like gentlemen, but the other would hear nothing I had to say, ordered one of his men to stand between me and the door; sent for an officer, had me apprehended, and desired the officer not to allow me to communicate with any body. So strict was this injunction carried, into effect, that a letter which I had written to my father, to inform him of my situation, was intercepted, and returned to me unopened the day after my examination; there was I, deprived of a professional man, and the means of shewing my innocence prevented. How far Mr. Warren can reconcile this unfeeling and unjust conduct to one placed like myself in this situation, and denied the means of defence, I know not, but I am innocent of the charge, and have been throughout anxious to stand forward, and to clear myself. The prisoner Latham had invited others to go to France, but they had refused. These facts I shall be able to prove by the witnesses which my counsel will call for my defence.'

Mr. Alley had been anxious, before the trial proceeded, to object to the indictment, which was laid wrong, so far as the prisoner (Single-

ton) was concerned, but the friends of the youth declined availing themselves of this advantage.—Several respectable witnesses were then called, who proved, that Latham had reported, that he expected a legacy, and that he was afterwards seen in mourning, as if for the loss of a friend; also that he had invited others to go with him to France. Numerous other witnesses were called, and established the honourable character of Singleton; and it was also proved, that his friends, who were of the highest respectability, supplied all his wants. The Jury retired at five o'clock, and when they had been out of Court about half an hour, Mr. Alley begged to make application, to the Court, that, in case the verdict should be against Singleton, it should not be recorded; he had been prevented by the friends of the prisoner from doing his duty, which was, to have insisted at once, that there was no case for a Jury.

Mr. Common Sergeant apprehended, that as the case stood, there was no remedy but by arrest of judgment. The Jury continued in deliberation until half-past eight o'clock, when they were called in, in consequence of a communication made to the Court, that in the case of Latham they had agreed, but that they were unable to come to an unanimous verdict with respect to the other prisoner. The Common Sergeant observed, that, if the guilt of the prisoner was not made out to the Jury, they were bound to acquit him, by which verdict they would be understood merely to state the impression made by the evidence on their minds. The Jury then again retired; but one of the twelve still could not be brought to join in a verdict of Not Guilty, as regarded Singleton; and



after they had been confined all night, they were next day dismissed without a verdict.

**SWINDLER.**—A woman, calling herself Countess of Jersey, has been condemned by the correctional tribunal of Ghent, to a year's imprisonment, and a fine of 25 florins, as a swindler. She lodged, in the month of March last, at the hotel of M. de Vos, at Ostend. Being without means to support herself, she sent for M. Herwyn, of that town, to whom she told in confidence, the secret connection which she had had, as she said, with Buonaparte in the island of Elba, with captain Maitland at Malta, her travels in all parts of the world, and the large sums which she was to receive in England by virtue of the will of the ex-emperor. She assured him, that, among other things, she wanted the certificate of her daughter's death, and some other papers, which were in the hands of the said captain, at Liverpool, and that, on producing these papers, she would receive the enormous sums that were bequeathed to her. On the credit of this statement, accompanied by tears, M. Herwyn advanced the lady a sum of money, and even gave her a letter of recommendation to a house in Liverpool, in order to go and fetch the papers which were to secure to her the enjoyment of a considerable fortune. But, after a residence of some weeks at Liverpool, she returned without papers and without money, having even borrowed of the persons to whom she was recommended, some pounds sterling, for which she had been obliged to leave her papers in pawn. On her returning to Ostend, M. Herwyn perceived that he had been duped, but he by no means suspected another trick which the lady

intended to play him. He had in his hands receipts for the money which he had lent her, and under the pretext of procuring him, instead of the receipts, a regular deed, she got them into her hands again; but, instead of giving him another deed in exchange, she decamped from Ostend without paying either her landlord, or her complaisant lender. In this state of things, she arrived at Ghent in the month of July, and took up her lodgings in the hotel of the Golden Lion. In order to obtain money, she put in practice the same means that she had employed to captivate the confidence of M. Herwyn: she had announced herself as the Countess of Jersey, possessing an immense fortune, pretending to be connected with the highest personages, and the first houses in Europe. She gave out that she was in expectation of the arrival of Joseph Buonaparte, and even went to Mooregem to purchase the chateau which she intended for him; she desired to hire and to furnish in the most elegant manner, a house in that city, saying, that as she had no children living, she promised to leave all her fortune to him who would have the complaisance to advance her a sum of money in the temporary embarrassment in which she found herself. All this was supported by the charms of eloquence, and a seducing coquetry; numerous papers, written for the most part in a language which few people understand, were also produced to give credit to the part she played. By means of all these manœuvres she succeeded in obtaining from some gentlemen in the city, not only money, but a house furnished in the most splendid style. At length, people became convinced that this woman was



nothing but a swindler, who speculated on the good faith of simple persons to cheat them of money, &c. She was proceeded against by the public prosecutor. Never was there a more select or more numerous auditory seen in the court. Indeed, the pleadings and the sentence merited the attention of the public. The Countess defended herself with much *sang froid*, and her counsel shewed, in an eloquent defence, that a man may have great talent and lose his cause. The judges retired for a long time, and on returning into Court, pronounced the sentence of the lady, who seemed, while she listened to it, *maitresse de ses sens et comme accoutumée à de tels jugemens*.

This adventurer was born at Paris, but it appears she was married to the Count Meniac Rohan de Jersey, in England. She resided for some years, (during part of which time Napoleon was there) in the island of Elba. The Italian Journals gave, as the object of her voyage to that island, the escape of Buonaparte. They even say, that the Countess made the English officer there a present of a diamond ring, of 100,000 francs in value; and that, being acquainted with that officer, and with captain Campbell, commander of the English frigate, the Bellerophon, stationed at Elba, she by that means facilitated the escape. After the hundred days, she went to Italy, where she spent much money. Having returned to France in 1816, she was wrecked on the Rhone, and had her life saved by her son. She afterwards went and resided in Turkey several years, principally at Constantinople. She also made different voyages in the Mediterranean, and to the Ionian islands. She then returned to England, which she quitted in

March last, and came to Ostend, where she became acquainted with M. Herwyn, who supplied her with 2,500 francs in money and goods, and gave her a letter of recommendation to Liverpool. Not meeting at that town with the person whom she seemed to expect, she returned to Ostend, and afterwards went to Ghent towards the latter end of July. She alighted at the Lion d'Or hotel, where she sent for the banker Tricot; but that gentleman being dead, his son-in-law, M. Roelands Tricot, went to her. She succeeded in inspiring him with sufficient confidence to advance a considerable sum. She procured money from other persons, by means of seducing promises, and the exhibition of numerous writings, several of which bore the signature of some of the most distinguished names of the French revolution. She then hired a house, which she furnished, and went to Mooregem to buy the mansion destined, as she said, for Joseph Buonaparte, whom she expected. Suspicions, however, began to be entertained of her—awkward reports respecting her were generally spread; and, finally, the public minister instituted a prosecution against her, the result of which was the above mentioned judgment.

**SIR HUMPHREY DAVY'S PROTECTORS.**—The Dartmouth frigate, captain Henry Dundas, was brought into dock this week, to have her bottom examined, after having the copper protected on the plan of sir Humphrey Davy; when it was found that the influence produced by these protectors, in preserving the copper had produced a most extraordinary effect: for, by reducing the oxidation which before took place on the copper, and



which separated from it most of the substances that adhered to it, the bottom had become extremely foul, so that within ten or twelve feet of the protectors, it was entirely covered, in thick patches, with serpula, oysters, muscles, and other shell fish. So firmly had they adhered to the copper, that it was found impossible in many parts to detach them.—The oyster and muscle were foreign, interspersed with foreign weeds. Some of the other species of shell-fish were natives, and had, no doubt, from their size, been collected on the bottom before she left England. The bottom had placed upon it three cast-iron protectors, about seven feet long and five or six inches wide, one on each bow and quarter, about three feet below the surface of the water, and one on each side amidships on the keel. The protectors were removed, and the oxide caused by the iron cleaned as much as possible, previous to the ship being taken out of dock. It is now fully established that sir Humphrey Davy's experiment for preserving the copper on ships' bottoms has failed; that is, the cast-iron protectors doubtless preserves the copper, but they operate at the same time so much to increase the foulness of it, that the remedy is worse than the disease. The protectors are, therefore, ordered to be removed from all sea-going ships, and be continued only on such as are in a quiescent state.

##### 5. CASE OF ALLEGED PERJURY.

—At Ipswich Sessions, Frederick George Hall and William Gathercole were indicted for a conspiracy to persuade Amy Studd, of Wortham, to affiliate a child, with which she was pregnant, on Thomas Howard. The girl gave the following evidence:—"I live at

Wortham; worked with G. Hall, who is a spinning manufacturer; I am pregnant by him; he told me to lay it on a man of the name of Elwin, who is gone to America, and then the child would come to the parish, and no charge would come to him; I said I could not do it; he said I must, for he had enough without mine, and if I laid it to him he would make away with himself. He then told me to go to Gathercole, and he would go with me; he took me in his cart within sight of Gathercole's house, and set me down; he gave me 1s. and told me to give it to Gathercole; I went to the house and rapped, and a man came who said his name was Gathercole; he took me into an unfurnished room, and brought in a stool and made me sit down; he said to me, you are in the family-way by a married man; he told me, I must lay the child to Thomas Howard; I said, Howard was not the father of the child; Gathercole said, if I did not lay it to Howard, he would torment me and wrap me up in coals of fire for everlasting; he said, if I got him 2*l.* I should be married to Thomas Howard; I said I was a poor girl, and could not get 2*l.*; Gathercole said, Hall was a likely man to do it, for he liked to get into scrapes and liked to get out of them. I went home, it was Saturday, and worked at Hall's the Monday after; Hall asked what Gathercole said to me; I told him what took place; Hall said he would send 2*l.* on Wednesday. I said it was a lot of money to fool away about such nonsense; he said, he did not care what he did to get off the child. Hall afterwards told me he sent the 2*l.* I went to Gathercole again, and he told me he had received the 2*l.* safe and sound, on



Wednesday. He said, "Now I have got the money I can begin the business." Gathercole appointed the day to swear the child to Howard; it was Friday. I told him I could not do it. Gathercole said, if I did not, he would drain away my life an inch at a time, and that he would lose his arm if I was not ruled by him. He said, Howard's wife's life should go before mine, if I would be ruled by him. He then opened a book and showed me a picture of two hands, and told me to lay my hand across them and say some words after him. I don't know what the words were. He showed me the shape of a spirit, and said it would take away Howard's wife's life, and if I was not ruled by him, it would take away mine. He said, I should be ruled by him; I could not withstand it. I went to the Ship, at Diss, and saw Gathercole and Hall there. Hall asked me to drink, and told me to pluck up my spirits. Gathercole was not there when I first went in; he came in afterwards, and said, I must swear the child that Friday to the married man. Gathercole told me to sit still, and he would see if the coast was clear; that he would go with me, and I should take no hurt. Gathercole went out, and came back in ten minutes, and said, he had seen Vince, and told him he had a cousin to swear a child. Hall heard him say this. Gathercole went out again, and said, he saw Cullingford, the Wortham overseer, and he must put it off till next Justice Sitting, as Cullingford knew him. I went home and drank with Hall and Gathercole. Gathercole told me to go to his house again, and he would tell me where he would meet me; I went to him, and said, I dare not lay the

child to Howard; he said I must, and should meet him at the Sun, at Diss, on the Monday, and to bring a piece of each of Mr. and Mrs. Howard's clothes with me; I asked him if a piece of their children's would do; he said no, he did not wish to torment them, and that I must wrap the pieces of clothes separately, in three sheets of farthing writing paper, and put one in my pocket, and the other in my bosom. He showed me the shape of two hearts, and told me to run a hot tobacco pipe through them; I did so; and he then stuck four pins in the hearts, and said, if I was not ruled by him, my heart would be served so too; he afterwards put them into a book. On the Monday, I met Gathercole and Hall at the Sun; we drank together. Gathercole went out, and said the coast was clear, and I might go and swear the child, and Mr. Clarke should go with me to the Magistrate's room. Gathercole told Clarke, if any thing should happen there, to come out and tell him. I went with Clarke, and falsely swore the child to Howard, on Hall and Gathercole's account. When I came out I saw Hall and Gathercole in the church-yard; I went to them, and said, I had sworn the child to Howard. Hall and Gathercole both said, "We will go to the Saracen's Head;" but Hall afterwards said, "No, there is a servant there who would know me, we will go to the Sun and spend 5s. I don't care what I spend, so long as I have got the child off." I went and drank with them; Gathercole said, he must charge 10s. for his two days' work, he could not lose his time for nothing; Hall gave him 10s. and me 1l. and said, he would give me 15s. after the next Justice Sitting, if I did



not discover, and 4s. a week till Gathercole had taken away Howard's wife's life. I have no criminal acquaintance with Howard; the charge against him is false. I saw Hammond on the road when I first went to Gathercole's; Hammond was in the cart; he was set down in the street.—Thomas Howard swore that he had a wife and four children, and had had no connexion with Studd.

Several witnesses were examined on the part of the defendant.

The Jury, having consulted about a quarter of an hour, said they were all agreed but one as to who was the father of the child. The chairman told them that was not the question, and they had better retire. After two hours they returned, and the foreman said they found the prisoners Guilty; but one juror said he was not agreed. The foreman said, they were all agreed but one; and it was hard they should be kept on account of him. The juryman said, he did not believe the girl: she had forsworn herself before.—The chairman observed that her evidence had been corroborated in part by other witnesses. The jury were then sent back, and after an other hour (about 11 at night) they returned a verdict of *Not Guilty*; the eleven having in the interval yielded to the opinion of the one, and appointed him their foreman!

#### 7. HURRICANE AT SANTA CRUZ.

—The following is an extract from a letter dated Santa Cruz, Teneriffe, giving an account of a dreadful hurricane with which that island was visited on that and the following days :—“ The noise produced by the raging sea and wind awoke me very early in the morning, and, upon going to the top of the house as customary, I perceived

it was blowing a violent gale from the S. E., and consequently that the vessels in the bay were in great danger, as it is only sheltered by mountains from the north and west. It increased progressively all day, accompanied by rain; three vessels were wrecked, but only two lives were lost; and at night it blew tremendously until about one o'clock, when the wind changed to the north, and the hurricane commenced. The noise caused by the wind and rain, which fell in torrents, was awful: the water in the street rushed like a river to the sea, and we were occupied all night in baling the water from the house, which is large, but not a single room escaped. The following day and night it continued, but with decreasing violence, and on the morning of the 9th it abated, and I was able to go out. I found that the change of wind had enabled the remaining vessels to get under weigh, and they were out of sight. The damage done to the town consisted in a few small houses having been blown down, the rest injured more or less, gardens destroyed, the pavement in the streets in part torn up, and strewed with stones, tiles, &c., the bridge washed away, and two 24-pounders driven from one of the castles into the sea: the water had rushed through the post-office a yard in depth, carrying away some letters, and destroying others, but, fortunately no lives had been lost. As the town is sheltered from the northerly wind, it was naturally imagined that the other parts of the island had suffered most, and the greatest anxiety prevailed. At length accounts arrived from different parts, all proving that our fears had been justly enter-



tained, and that we had been comparatively well off. It is easy to imagine that water rushing from lofty mountains, increasing in its course, must necessarily carry away every thing opposed to it. Such was the force of the water from the mountains, that the stones, trees, animals, &c. which were brought by it, have caused the sea at Port Orotava to retire 300 yards, so that you can now walk on land, where there were previously five fathoms of water. In its progress it carried away a battery and the guard, with the exception of a corporal and one soldier, and two old dismounted guns remain to denote where it once stood. The beautiful valley of Orotava has suffered, perhaps, more than any other part, and the loss of lives and property is at present incalculable. Above one hundred dead mutilated bodies have already been found there, but these must be few in comparison to the number buried in the rubbish: in one district alone, 112 houses had been carried away, with the cultivated land near them. Some estates have been entirely, and others partly, destroyed; small villages partly swept away, with their inhabitants, vineyards destroyed, cattle lost, and, in fine, all the numerous disasters which a catastrophe of this kind can occasion. On that side of the island where Port Orotava stands, two vessels were lost, one near that town, a French vessel, and only four seamen miraculously escaped; the rest, consisting of the captain, mate, ten seamen, and three merchants, passengers, perished; the other was a Spanish vessel bound to Havannah, from which, I believe, only three men were saved. From parts of wreck seen near

the coast it is presumed much damage must have been done at sea. In Candelaria, the convent containing the Virgin, so much celebrated for her miraculous appearance here at the time, or shortly after the conquest, and which was so greatly venerated by all the inhabitants of these islands, was washed away, and also a castle in which a soldier and his family had sought refuge. Not only has this island suffered from the hurricane, but also some of the others; and great damage has been done in Canary, where nine vessels were lost, with part of their crews."

#### TRANSPARENCY OF THE OCEAN.

—Experiments were made during the voyage of the *Coquille*, to ascertain at what depth in the sea an apparatus became invisible, composed of a plank two feet in diameter, painted white, and weighed, so that on descending it should always remain horizontal. The results varied much. At Offale, in the island of Waigou, on the 13th of September, the disc disappeared at the depth of 59 feet—the weather calm and cloudy; on the 14th, the sky being clear, it disappeared at the depth of 75.3 feet. At Port Jackson, on the 12th and 13th of February, it was not visible at more than 38.3 feet in a dead calm; the mean at New Zealand, in April, was 32.8 feet less; at the isle of Ascension, in January under favourable circumstances, the extreme limits in eleven experiments were 28 and 36 feet.

#### 7. ANNIVERSARY OF GOETHE.

—The anniversary of Goëthe was celebrated at Weimar, on the 7th of November. His royal highness the grand duke presented, on the occasion, to the poet, the gold medal which was struck last year,



and which on one side presents the head of Goëthe, and on the reverse the heads of the grand duke and grand duchess. The legend is in German, to the following effect:—"Charles Augustus and Louisa to Goëthe, 7th November 1825."

**EXPLOSION IN A STEAM-BOAT.**—The United Kingdom Steam-packet, from London for Edinburgh, having put into Grimsby-roads for shelter, the Graham Steam-packet with passengers for Hull, went alongside her to take out those persons desirous of proceeding to Hull, and thence to Edinburgh, by land. Shortly after the engine of the Graham was stopped, the boiler burst with a tremendous explosion, by which a respectable Corn-dealer of Grimsby, is said to have been literally blown to atoms, as no part of him was ever afterwards seen; he left a wife and ten children to deplore his loss. John Potton, a labourer, was killed on the spot. A gentleman and a lady were blown a considerable height, and fell into the water; they were immediately picked up, and did not appear to be much injured. Several other persons were severely scalded. One gentleman, who was looking over the side of the United Kingdom packet, was killed on the spot, his head being literally shattered to pieces. After the accident, the Graham was towed up to Hull by the United Kingdom. When the consternation had in some degree subsided, the Graham's passengers were taken on board the other packet. The cause of the accident was explained by the evidence given by the engineer on the inquest held on some of the bodies. The evidence was to the following effect:—

Jacob Urwin, engineer of the Graham, was upon the paddle-box of that vessel at the time the accident happened; had been engineer of the Graham 18 months; has had accidents a little before by this boiler, which has given way more than once. From the first he never considered this boiler a good one, and has represented to the owners that it was defective. The first day he joined the vessel, the boiler had to be repaired; and he then told them, that it was not safe. He did not consider it safe even after it was repaired. He took 20lbs. of weight from the safety valve, not thinking the boiler strong enough. The full weight, when he came, was 56lbs., and he diminished it 20, and it has remained 36 ever since. Considered the boiler then safer, but always had a dread upon him. 36lbs. is a very light pressure. If it had been a good boiler, it would have borne the 56lbs. and a great deal more. He always thought the boiler unsafe; and in consequence of his representation he had reason to think new boilers were ordered. This boiler was not of the proper thickness, but very light. The plates varied from an eighth to a sixteenth in thickness.

**9. SINGULAR CASE OF RESUSCITATION.**—The marquis de Bolgida, Comptroller-general, of Madrid had a sudden attack of apoplexy, which ended, as it was thought, in his death. He was dressed in the habit of a monk, as is the constant custom of the country, and deposited in the vault of the Church of St. Juste. However, at about eleven o'clock at night, the marquis awoke from his lethargy, raised himself from his coffin (for, in general, Spanish coffins are not



fastened), and his fear giving him additional strength, he made his way to the grating of the vault opening to the street, and called to the first person he saw, who, frightened in his turn, ran away as fast as he could, calling out that ghosts were coming forth from the vault of St. Juste. The marquis, finding himself thus treated, recollected the name of a carpenter known to him, and who lived opposite, and called on him so loudly, that he succeeded in waking him. The carpenter went out, and though not much pleased to hear himself called upon from a place, the inhabitants of which are generally very taciturn, he by degrees collected his thoughts, understood what the marquis wished him to do, and went immediately to give the Curé of the parish an account of what had taken place. The marquis was liberated from the vault, and taken to his home, where he remained ill in bed, and on the point of really dying, through the supposed death which he lately suffered.

#### 10. THE GUARDS' CLUB HOUSE.

—About half-past eight o'clock, St. James's-street was rendered almost impassable, in consequence of the sudden fall of this building. Only a few months ago the house underwent a complete repair, and, in order to make it more roomy, the party-wall on the south side had been cut in half, and four inches raised against it, which had materially weakened it; in addition to this, the houses adjoining it had been pulled down, in order to be rebuilt; so that the wall lost all its support. For two or three days before, props had been raised against it, in hopes that its falling might be prevented, and every precaution adopted by the survey-

ors. About one o'clock in the morning, the establishment closed; all the members departed, and the steward, Mr. Stone, his family and domestics, retired to rest. Mr. and Mrs. Stone and their little girl, about three years old, slept in the back attic, upon which floor the housemaids also slept, and on the second floor, in the back rooms, slept the waiters and other men engaged in the house. About half-past six o'clock, the two house-maids and the kitchen-maid rose, leaving the rest of the family fast asleep in their beds. At about half-past seven, one of the master-builders observing the party-wall above alluded to to bulge out very much, immediately suspected that its fall would soon take place, and thereupon ran into the house, and cried out, "For God's sake, leave the premises, if you wish to save your lives, for the house will fall almost directly." The servants who were up, instantly ran up stairs, to inform their master and mistress of the danger that awaited them, and to arouse their fellow servants. No time was lost in deserting the house, leaving it and all the property to its fate. Not two minutes had elapsed after the inmates had escaped, before the whole of the party-wall fell down with a tremendous crash from the roof to the basement, and then the roof, having no support, fell in with such force, that the materials carried the ponderous beams and rafters through the billiard-room, drawing-room, down to the coffee-room; but such was the extraordinary manner in which the materials fell, that very little damage was done to the furniture in the rooms through which they passed. The billiard table and the four gas



burners surmounting it, remained untouched. Not even a glass of the lamp was broken; and in the drawing-room, the elegant chandeliers which this establishment boasted so much of, were scarcely injured, and could be seen from the street.

**GOFF'S OAK.**—About four miles beyond Enfield, through Bull's Cross, and beyond the old palace of Oliver Cromwell, stands Goff's Oak, a formidable rival, and certainly a survivor, of the famous tree of Fairlop, which not long since paid the debt of nature in the forest of Hainault. A public house stands within a few yards of Goff's Oak. The old house was burned down in 1814, and the present building is but small. The story which is recorded under a rude drawing of the tree, is, that the oak "was planted in the year 1066, by sir Theodore Godfrey, or Goffby, who came over with William the Conqueror," and the oak itself is a curiosity. The dimensions are enormous, and the trunk is hollow; nor is it the least of its claims to the attention of the visitor, that half a dozen persons could sit comfortably round a table in the cavity which time has formed. The tree is not generally known; but there are few who would regret a drive to the spot, or who would think the time which would be occupied in its examination lost.

14. **IMPOSITION.** — At Plymouth, two children were exhibited, in the fair, as Esquimaux Indians. They were clothed in seal skins, ate raw flesh, drank oil, and displayed in their gestures and actions a degree of savage ferocity altogether unnatural. A report was conveyed to the mayor that a young rabbit had been given to

these children alive, which they instantly tore to pieces, and devoured in the presence of the spectators. An inquiry took place, and these disgusting circumstances having been corroborated, the showman was summoned to the Guildhall. He gave his name James Sanger, of Tilbury, Wilts; said he received the children from the captain of a vessel at Liverpool, about two months since; that they refused every kind of food but raw flesh, and rice mixed with it; had never been heard to speak in any known language; and that this was all he knew of them. The mayor, not being satisfied with this story, ordered the poor creatures to be taken to the workhouse, and properly treated. The man was on no account permitted to see them. Every persuasion was used to induce them to speak, and they were visited by a number of ladies of respectability, who expressed much interest in their fate. On Thursday evening, while the nurse was endeavouring to compose them in bed, the girl spoke for the first time in good English, and appeared all at once to be very communicative. The account she gives of the circumstances is as follows:—Her father was a half black (a mulatto), her mother an English woman. They were placed under the care of their aunt, who resided in the parish of Whitechapel, in London, where they were born. This aunt had sold them to Sanger for 35s., about Christmas last, since which they had not seen either their unnatural parents or aunt. Sanger had used them with great cruelty, frequently beating them over the neck with a large stick; they had not been in bed since they were in the man's pos-



session, being kept in an upright posture night and day. They were kept from every kind of food except raw meat, and taught to snap at and devour what was offered to them with avidity. The man had told them, that, if they uttered a word, they should be murdered; and if any one touched them, they were to bite and appear angry. She said her name was Eliza Thompson, and her brother was called Edward; that she was ten years old, her brother seven. The child appeared very intelligent for her years.

**CHILD MURDER.** — In the neighbourhood of Newport, at the village of Bassilig, a young woman, about a fortnight ago, was delivered of a child at the cottage of her parents, with whom she resided. They, in concert with her, immediately destroyed the child, by various lacerations of the throat, and kept its mangled remains three days in the house, tied up in a bundle, till an opportunity occurred of passing it out of window to the paramour of the girl—a young married man, with two children of his own, who was employed as an under-keeper on the contiguous estate of a gentleman of rank and property at Tredegar. This man was to have buried his burthen; but, palsied with horror, and oppressed, as he afterwards averred, with an indecision which deprived him of all energy, he delayed the wretched task, and deposited the bundle in the carrion cart, among the provision there collected for the dogs, under a shed near the kennel! An unusual motive happening to take one of the upper bailiffs into this shed on the ensuing morning, he was struck by the singularity of a coloured cotton appearing among the carrion, and

horrified when a further search disclosed its contents. His inquiry respecting it of this man produced such immediate and equivocating agitation, as led to the apprehension of all the parties, and their committal, after a coroner's verdict of "Wilful Murder" had been pronounced, to Monmouth gaol.

**15. CONVOCATION OF THE CLERGY.**—The General Assembly of the Clergy in Convocation took place, as is usual on the summoning of a new parliament, for the purpose of choosing delegates, &c. His grace the archbishop of Canterbury, the bishop of London (attended by their respective secretaries and officers), sir John Nicol, sir C. Robinson, with the other judges, doctors, and proctors belonging to the ecclesiastical courts, all in full costume, walked in procession from the Chapter House in St. Paul's Church-yard to the Cathedral. The service, commencing with the Litany, was read in Latin, by the dean, after which the *Gloria in excelsis* was chanted, previous to the sermon, which was preached also in Latin, by Dr. Monk, dean of Peterborough.

The following was the *Programme* issued on the occasion of "the order of procession of the Convocation, on Wednesday, November 15, 1826:—1. The porter, with his black rod; 2. The proctors, in their full-dressed gowns and hoods, the juniors going first; 3. The registrars of the province of Canterbury; 4. The registrar of the arches; 5. The advocates in their robes, the juniors going first; 6. The officers of the vicar-general of the province and of the chancellor of London; 7. The vicar-general and chancellor of London; 8. The beadle of the arches, with his mace; 9. The



dean of the arches.—Proceed from Doctors' Commons to the Chapter House. When they enter the Chapter House they divide, and let the dean of the arches, the vicar-general, and seniors, go up stairs first. The form of opening the Convocation.—The archbishop (or his commissioners, if his grace should be hindered) meet at the Chapter House, the north side of St. Paul's church, about eleven in the forenoon. The dean of the arches, vicar-general, chancellor, advocates, and proctors, in their proper habits, attend his grace, or his commissioners, from Doctors' Commons, at that time and place. The bishops about the same time being assembled in the lord mayor's vestry in the cathedral, put on their habits and convocation robes. Notice will be given at the Chapter House when the bishops are ready, and then the archbishop, or his commissioners, preceded by the civilians, the juniors walking first, go from the Chapter House, through the north-west gate, into the area of the church-yard, and going up the steps to the west door of the cathedral, will there be met by the bishops and the dean and chapter, who, from thence, with the gentlemen of the choir, in their surplices, proceed before the archbishop, or his commissioners, the civilians dividing to the right and left at the west door, to let the archbishop or his commissioners pass between them, and then following the archbishop or his commissioners to the choir, the dean of the arches, vicar-general, chancellor, and advocates, going first, and the proctors following according to their seniority. The archbishop or his first commissioner goes into the dean's seat, and the other bishops into the prebendaries

stalls on each side of the choir, the dean of the arches, vicar-general, chancellor, and advocates sitting next them; prayers are then read by the junior bishop. After this follows an anthem, O pray for the peace of Jerusalem, &c. and then the sermon. After sermon the anthem is sung, *Gloria in excelsis*. After this anthem the archbishop, or his first commissioner, pronounces the blessing. Then the archbishop or his commissioners return through the west door of the Chapter House, the other bishops, with the dean of the arches, vicar-general, chancellor, advocates, and proctors, and the clergy of the lower house following them. The clergy of the lower house, after some time, return to the chapel on the north side of the cathedral, where the early prayers are usually read, to choose a prolocutor."

18. SINGULAR DUEL.—A duel between the marquis Livron and M. Du Trone took place at twelve o'clock, in the forest of Senart, very near the chateau of Madame Du Cayla. The whole affair had the appearance of an act of madmen, and resembled more a tournament than a modern duel. Du Trone, the young advocate, was habited in the costume of a Greek chief; each was mounted on horseback, and had three seconds. The parties were armed with sabres, and, on the onset, Livron was dismounted by the concussion of the horses. Both were slightly wounded, and the seconds then thought proper to interfere. What adds to the singularity of this duel is, that it took place in the presence of 150 spectators.

19. GREAT FOOT RACE.—The great foot race from Hyde Park corner to Reading and back, was



completed this morning. It took place between captain Ramsey and Mr. Wellesley, the celebrated runner, for 150 sovereigns a side; the one going by way of Windsor Park, and the other by Maidenhead. This distance was performed a few weeks since by two gentlemen of sporting celebrity, the winner performing the distance in 18 hours. The distance by one road is 39 miles, and that by the forest road 37 miles. The captain was backed at 6 and 7 to 4 to win by the forest road. The start took place at twelve on Saturday morning, and both arrived at Reading in seven hours and a half from the time of starting. They halted one hour, and the captain made a speedy lead, and reached Staines at the rate of six miles an hour. Those interested in the match, on which heavy bets were pending, were crossing the roads by way of regulating their betting books. On entering Hounslow, the captain, at the junction of the two roads, had no sight of his opponent, and he went on at an easy rate. The captain entered Brentford fresh and well, where he received notice that he would be soon overtaken, as his competitor was in view, upon which he made play, and reached his destination at six o'clock in the morning, leaving Mr. Wellesley knocked up at Hammersmith.

#### 21. OPENING OF PARLIAMENT.

—This day being appointed for the king going in state to open the first session of the new parliament, the band, with the king's guard, mounted guard in their state uniforms. The novelty of beholding his majesty in public attracted an incalculable number of persons. The balconies and windows of the different streets were filled with

spectators, as well as some of the shops, the goods for sale having been removed to accommodate them. The shops in the narrow parts were shut up. Vehicles of almost every description took stations at the wide parts of the streets, which were filled with persons, great numbers of whom paid to be admitted: every elevated place was filled: a dense body of people were assembled in the streets. A numerous body of the life-guards patrolled the streets to keep the centre clear, for the royal procession to pass.

The state and royal carriages entered the King's Palace-yard, St. James's, at one o'clock, at which time the royal attendants arrived. The field-officer in waiting attended and presented to his majesty the effective staff of the three regiments of foot guards. Exactly at half-past one o'clock, the king entered his state-carriage, wearing his coronation dress, with his black velvet hat, with white feathers; the guard presented arms, and the band played "God save the king." His majesty looked remarkably well. The procession consisted of four carriages each drawn by six horses, which preceded the state carriage drawn, as usual, by eight matchless cream-coloured horses, their harness ornamented with light-blue ribands. His majesty was attended by the master of the horse, and lord Graves as lord in waiting. As soon as the king entered the street, he was received with acclamations and every demonstration of dutiful attachment, and rejoicing, which was continued during the whole line to the House of Peers. The king entered the House at eight minutes before two o'clock, which was announced by the waving of an artillery flag,



from the roof of the House of Peers to the Lambeth shore, where a royal salute was fired from small cannon. His majesty left the House at 20 minutes past two o'clock, which was announced by the firing of another royal salute from the same place.

The princess Carolina of Meiningen was among the spectators in the House of Peers. Prince Esterhazy, the Austrian ambassador; prince Polignac, the French ambassador; and prince Lieven, the Russian ambassador, went in state carriages each: the equipage of prince Esterhazy was very superb.

#### 25. PARISIAN EXPEDIENTS.—

The tribunal of Correctional Police, at its opening this day, was occupied with some cases, to which the numerous reports of robberies, in the capital of France, had given extraordinary importance. Dr. Demolle, of the rue de Menars; Francis Menage, a mechanic; and Lapotere, the younger, a working jeweller, were accused of circulating false reports of several attacks, by robbers, on their persons and their property, and thereby casting ridicule on the functionaries who were called on to take cognizance of these said attacks. Menage was charged with presenting himself half-naked, and drenched with wet, to the watch, at the barrier of Passy, and pretending that he had been stripped by brigands, in the Champs Elysées, and thrown into the Seine. The following was Menage's curious defence:—"Gentlemen, I shall tell you the real truth of the matter. I had been reduced to great distress, and I resolved to end my life by throwing myself into the water. I went, in consequence, to the quay of Passy, where I tied up my clothes

in a bundle, in which I inclosed a letter to my wife, and laid the bundle on the parapet. As, unfortunately, I am a swimmer, I tied a stone to my leg with a string, and twice I threw myself into the river. And twice the string broke. I therefore allowed myself to get out of the water, and went to the watch, to solicit their hospitality." The doctor's case was next called; it was one of a ladder of ropes, a forcible entry, and the fracture of divers locks. The doctor's defence was nearly as good. He stated that about three years ago, his mother-in-law came to Paris, and gave him in charge, to circulate reports on Change, for the purpose of giving value to the money which she had placed in the French funds. "I am," said he, "a father of a family; I have four extremely interesting daughters; but, alas! I have, not the less for that, allowed myself to be led astray, by inhaling the dangerous air of the Exchange. My first speculations were successful, but were balanced by the losses of those that followed; at length, the unexpected rise in October quite ruined me. I found I must have recourse to my mother-in-law's funds, and to prevail on her to sell out, I made use of the expedient for which I am now charged. My guilt was quite unpremeditated. I set about it with the utmost haste, and three or four times during the night, I was about to draw in the rope-ladder that I had hung to my balcony. I informed the police of this imaginary robbery, but I soon repented, and told my mother-in-law the truth, and she told it to the commissioner." Lapotere made a much more magnificent tale than the would-be suicide, or the stock-jobbing doctor. He was



stopped in the evening, on the Boulevard Bourdon, by two robbers, six feet high, who attacked him with bodkins sharpened like stilettos, and would have slain him at once, had it not been for a portefeuille that turned aside the bloody weapons. Lapotere wrestled like a hero with these two gigantic ruffians, and, drawing his knife, killed the one, and mortally wounded the other. He then ran off, but recollecting that he had lost his hat in the engagement, he went back to the field of his glory, where he found one robber dead, and the other expiring. The blood which Lapotere had thus valiantly shed was afterwards discovered to have flowed from a dray-horse which had died on the spot and been bled to render its removal easier. He confessed, at first, that he had invented the story, merely to render himself interesting; but when brought before the court, he stoutly maintained that the original tale was the true one, and that he had signed his recantation in consequence of the seductive arts of M. Vidoc. "He came to me," said Lapotere, "and says, why did you put this in the papers?"—"Why," says I, "I gave the account of my affair to none but the Constitutionnel—the commissioner himself sent it to the Courier."—"Ah, well," says Vidoc, "you must retract this story, nobody will believe it." "Come," says he, "do you want money?"—"Money," said I, "I despise it as I do the dirt among my feet."—"I give you my honour," says Vidoc, "the matter shall rest between us two—for no one shall ever hear of it." "I then allowed myself to be prevailed on, and signed a writing, in which he

made me say whatever he liked; for I did not even read it." The magistrates, after considerable discussion, were of opinion, that the offences were not punishable under any article of the Criminal Code, and dismissed the charge.

27. THE TWO HOUSES OF CONVOCATION.—The two houses of Convocation, having come in procession from the Jerusalem Chamber, were received by his majesty, seated on his throne, and surrounded by the great officers of state. The archbishop of Canterbury, with the dean of Peterborough, prolocutor of the lower house, on his left hand, advanced to the foot of the throne, and read the address voted by the two houses, which was received by his majesty with gracious expressions of satisfaction. The king's reply contained assurances of continued favour and protection to the church of England. The members of the upper house present were—the archbishop of Canterbury, the bishops of London, Exeter, and Llandaff: of the lower house, the dean of Peterborough, archdeacon Pott, &c. Afterwards the two houses met at the Jerusalem Chamber, where the king's answer to their address was read to them by the archbishop, and the session was adjourned to the 4th day of June next.

The following is a copy of the address, and of his majesty's answer:—

"We, your majesty's dutiful subjects, the archbishop and bishops, and clergy of the province of Canterbury, in convocation assembled, humbly offer to your majesty the assurances of our attachment and inviolable fidelity to your majesty's person and government. The protection which your majesty has at



all times extended to the United Church of England and Ireland, demands our sincerest and warmest acknowledgements. Grateful for the past, we humbly implore a continuance of the same protecting power; for, assuredly, Sir, there never was a period in the history of our reformed church, that more urgently required it; whether we direct our attention to the avowed enemies of Christianity, or to those who, professing the faith of Christ, sedulously labour to disparage and degrade the Church, of which your majesty, under God, is the head, and which, we confidently maintain, is formed upon the model of the earliest and purest ages of Christianity. It is our duty, Sir, to vindicate the establishment in the spirit by which it professes to be governed, with temper, moderation, and firmness, seeking to conciliate those who may be opposed to us, not to exasperate them; to convince, not boastfully to triumph over them. But, Sir, with this understanding of our duty, we cannot dissemble to your majesty the just apprehensions we entertain of the efforts that are now making to arrive at authority and power in the state, dangerous to the existence of the Protestant Constitution of the country, and leading directly to religious disturbance, animosity, and contention. But, Sir, whatever be the danger to which the Established Church may be exposed, we have full confidence in your majesty's protection, and in the wisdom, discretion, and firmness, of your parliament. We pray God to bless and protect your majesty."

"My Lords, and the rest of the Clergy.—I receive with great satisfaction this loyal and dutiful address.

The renewed assurances of your affectionate attachment to my person and government are most acceptable to me. I rely, with the utmost confidence upon your zealous exertions to promote true piety and virtue—to reclaim those who are in error by the force of divine truth—and to uphold and extend among my people the preference which is so justly due to the pure doctrine and service of our Established Church. That Church has every claim to my constant support and protection. I will watch over its interests with unwearied solicitude, and confidently trust that I shall be enabled, by the blessing of Divine Providence, to maintain it in the full possession of every legitimate privilege."

**MURDER IN FRANCE.**—On the 7th of June, in the commune of Baissey, in the arrondissement of Langres, M. Jacob, a vine-grower, and his wife, happened to pass a part of the day with their eldest son in a hemp-field in the neighbourhood of the village. They left at home in bed, in consequence of indisposition, their youngest son, aged thirteen. At one o'clock, the father returned to see how he was, and remained three hours with him. He then returned to his labours, having locked the door behind him. When the family returned, at six o'clock in the evening, they found the door open, and the key in the lock. At first it was thought that the child had gone out, but the mother, who first entered the house, observed that her drawers had been opened, and her linen dispersed. She rushed into the inner room, where the first object that struck her eyes was her son, stretched upon the floor, bathed in his blood. The



father next entered, attracted by her cries: the child was still breathing; but being placed on his bed, he opened his eyes, moved his lips, and then expired. The blood that flowed from his body, and the fractures in his skull, left no doubt of the cause of his death. He had received six blows with a hammer on the head, which had crushed in the bone. The instrument, with which he had been murdered, was found covered with blood and hair near the kitchen fire. The neck of the child bore the prints of nails, evidently showing that the murderer had held his victim by the throat with one hand, while he struck him with the other. From the state of the furniture, it was evident that robbery had been the motive of this dreadful crime. Justice was for some time at fault in the attempt to discover the perpetrators. At length, in consequence of some pretended discoveries of a family named Vallot, two inhabitants of the commune were arrested, who were afterwards found to be innocent. In the mean time, the singular conduct of the woman Vallot, and of her daughter and daughter-in-law, attracted the attention of the authorities. It had been remarked that, on the evening of the 7th June, she did not wear the same clothes as she had done during the day. It was remarked, that the plaits which she had ordinarily upon her shoes, had been taken off. Drops of blood were seen upon her feet, and three drops of blood were noticed upon her apron, which she alleged to be drops of wine. The daughter-in-law was one day overheard saying to her sister-in-law, "What did my mother mean by that action?" "What need you care," replied the

other, "since it is done, it is done." Several other expressions indicating guilt were overheard by various persons. As soon as these facts reached the ears of justice, Vallot was arrested. In her examination she adopted a system of denial in which she steadily persevered. To all questions her constant answer was, "I am not guilty, gentlemen; you may do what you please with me." The prosecution was conducted by M. Royer, the king's attorney. The counsel for the defence employed every effort to infuse doubts into the minds of the jury, principally insisting on the fact that no one had seen the prisoner enter or come forth from the house of Jacob. After a lucid and impartial summing up, the following questions were put to the jury by the president:—"Is the woman Vallot guilty of the wilful murder of young Jacob? 2. Was the murder committed with intent to steal?" The answer was affirmative upon the first question, and negative upon the second. The prisoner was in consequence condemned to hard labour for life.

29. ECLIPSE.—There was an eclipse of the sun this morning, the first that has been visible in England since September, 1820. The north-west limb of the sun was obscured by the interposition of the south-east limb of the moon; at 5 minutes 6 seconds past 10 in the morning, and at 4 minutes 15 seconds past 11, the obscuration was at its greatest, when about the third part of the sun's face was hidden. The eclipse ended at 30 minutes past 11.

FALMOUTH.—A new suite of rooms, with a Grecian Doric colonnade, and containing every necessary apartment, has been



built by subscription at Falmouth, for the particular convenience of proprietors and subscribers, and the general accommodation of gentlemen in the army and navy, and other strangers who visit the town and neighbourhood. It was opened last week.

## DECEMBER.

1. ROYAL SOCIETY.—The following gentlemen were elected officers, and of the council, of the Royal Society, for the ensuing year;—President, sir Humphrey Davy, bart.—Treasurer, Davies Gilbert, esq. M. P.—Secretaries, J. T. W. Herschel, esq. and J. G. Children, esq.—Council:—Old Members; sir Humphrey Davy, P., John Barrow, esq. lord bishop of Carlisle, Davis Gilbert, esq., J. T. W. Herschel, esq., sir Everard Home, bart., captain H. Kater, John Pond, esq., James South, esq., W. H. Wollaston, M. D. Thomas Young, M. D.—New Members, John Abernethy, esq., Charles Babbage, esq., captain F. Beaufort, R. N., Robert Brown, esq., John George Children, esq., Charles Hatchett, esq., A. B. Lambert, esq., George Pearson, M. D., William Prout, M. D.

### EXTRAORDINARY SUICIDE.—

An inquest was held at the Four Swans, in Bishopsgate-street, on Mr. William Jackson, aged 20, who shot himself at that inn on Wednesday last.

Sarah Collins, bar-maid at the Four Swans in Bishopsgate-street, stated, that, on Wednesday morning, about half-past nine o'clock, the deceased came there, and asked, if he could be accommodated with a bed? She repeated the word "bed," and the deceased replied,

"Yes, a bed; I am aware it is an unusual time to ask for a bed, but I am much fatigued." The witness inquired, if he had come by the coach, and he replied in the negative, but said he had been riding a great distance. The deceased afterwards went into the kitchen, and pulled off his boots, and he then retired to his chamber.

Henry Pearse, a waiter, deposed that he was present when the deceased inquired for a bed, and he observed that he was very wet, and appeared much fatigued. About six o'clock the same evening, witness went to the chamber of the deceased, thinking that he might wish to be called. The curtains were drawn closely round the bed. Witness called, but, receiving no answer, pulled the curtains aside, and discovered the deceased stretched on his back, and his shirt and the bed-linen steeped in blood. There was a wound in his left side, and he had a pistol clenched in his right hand. Witness gave an alarm, and Mr. Parsons, the proprietor of the inn, and other persons, came up, and it was found that the unfortunate young gentleman was quite dead. On a table in the room were two notes, in each of which was written as follows:—

*Wednesday, Nov. 29.*

"On earth, though in one sense in Heaven, the last wish of William Jackson, late of Debenham, in Suffolk, who was sent from thence to London to proclaim repentance, for the kingdom of Heaven is at hand. I was mounted yesterday on the finest steed, but did not make the haste I ought to have made, for my father, who is in Heaven, said to me, go on, stop not, your horse shall not tire until



you have completed your task. I delayed, and my uncle, Isaac Jackson, of Stoke-by-Newland, rode after me, which I little thought would be the case, and as I arrived at the appointed place he overtook me and regained his horse, but not me, for I was determined to fulfil my task before I drank water or ate meat, which I have not done since I left Debenham. Behold the day cometh, yea, and is nigh at hand, when all of us shall be summoned before the throne of God to give an account of our sins. Think not of me, my dear friends and brethren, but of yourselves. My God! the father of all, will think of me, I have no doubt, and of you, if you only pray to him for forgiveness; if it is only now you begin, and pray fervently—(do this in remembrance of me). All I have said has had one effect—see whether what I have done will—I trust it will. I pray to my father that you may repent, and soon be with me in Heaven. Let this be inserted in every London and country paper, ere another Sunday arrives, if possible, that the world may know that God hath sent me. Repent, repent, for the kingdom of Heaven is at hand; for he cometh, for he cometh, to judge the world, and the people with equity. If my prayers will make any impression upon them, let them, and you shall have my fervent prayers for your everlasting happiness.

“WILLIAM JACKSON.”

“As soon as this be found, let it be cried in the streets, for there is a gentleman in search of me, and you shall be amply rewarded. Think not of me, I say again, but of yourselves. This I have said, and thus done, that the world may

know that God hath sent me. I have not done this because I have not been comfortable, mark ye—but comfortable I have not been quite, because I did not make the haste I ought to have made. Farewell for a short time. Don't defer till too late.”

These notes were folded, and on the outside of each was written, “To each and every one.”

The coroner charged the jury, and they returned a verdict “that the deceased had shot himself, being at the time in a state of temporary derangement.”

4. GUERNSEY. — The crown officers prosecuted Mr. C. Allez, of the Forest parish, for a penalty of 200*l.*, incurred by his having, in the month of September last, destroyed a quantity of prohibited goods, then in a mill at Petit Box, with a view of preventing their being seized by the men belonging to the Custom-house boat. The question before the court was, whether the clause enacting the penalty did or did not apply to these islands. A majority of the court were of opinion, that it did not apply to these islands; but only to the United Kingdom and the Isle of Man; and therefore non-suited the plaintiffs.

SHIPWRECK! — The *Sun*, of Calcutta, was totally lost on her passage from Sydney, and is a further proof of the dangers attending the route by Torres Straits. She struck upon a sunken reef of coral while steering for the entrance of the passage, and went to pieces almost immediately. The crew having succeeded in getting the long-boat and jolly-boat afloat, embarked in them, and endeavoured to reach Murray's Island, which was the nearest land, and



where captain Gillet expected that some of the vessels from New South Wales might touch. After two days exposure to the weather, without food or water, they got sight of the island, but the long-boat was unfortunately driven upon a reef of rocks and swamped. The first and second officers, with twenty-two lascars, were on board of her, and found a watery grave. The jolly-boat reached Murray's Island in safety, and her crew, consisting of captain Gillet, a passenger, and ten men taken on board, were in the John Munro, which vessel touched at the island two or three days after their arrival. The inhabitants of Murray's Island are described as little better than savages, many of them going about perfectly naked.

**DREADFUL STORMS IN SCOTLAND.**—A tremendous storm of wind and snow devastated the highlands of Perth and Inverness shires, on Friday and Saturday last. The loss of human life already ascertained is deplorable; and the destruction of sheep and cattle in the highland districts is said to be immense. A letter from Inverness states, that "such a dreadful storm had never been known there as that on Friday,—a strong north-east wind, with heavy snow, so thick and dark that one's sight could not penetrate it a dozen yards. This continued all day. In the evening less snow fell, but the wind continued awful during the night." It further appears that the roads to the east and northward of Inverness, were so much obstructed, as to prevent the arrival of stage-coaches; and the mails, with great difficulty and exertion, arrived there about twelve hours beyond their regular time. The snow in the highlands,

was drifted, in some places, to the depth of one hundred feet. Among the mountains of Perthshire the storm was no less dreadful. The Caledonian stage-coach, between Perth and Inverness, was buried deep in the snow at the hill called Drumuachder, near Dalnacardoch. Some of the passengers travelled a great part of the way on foot; and on the lee side of some of the mountains and rocks, the snow was drifted to a depth far exceeding one hundred feet. A man and a woman were also found dead among the snow, near Moulin. Two commercial travellers left Pitmain after dinner, on Friday afternoon, immediately before the approach of the storm in that quarter, with the expectation of reaching Dalwhinnie (a distance of thirteen miles) that evening, but proceeded only a few miles, when the fury of the storm, and the depth of the snow, rendered it impossible to proceed. Endeavouring to return, they found the obstacles still greater, and were ultimately obliged to leave their horses and gig, and attempt to get forward on foot. After a dismal night, groping in the dark, they reached Dalwhinnie on Saturday, at 10 o'clock in quite an exhausted state. The collars of their great coats, and the handkerchiefs they had wrapped about their throats, were frozen so hard, that they had to be removed by being cut off with knives. When they had recovered strength so far as to give an account of their mishap, they mentioned where the horses had been left, and as soon as the fury of the storm had abated, some men set out on foot, and found the horses still alive, but completely covered with snow. In Perth, and the low country adjacent, there was comparatively little snow, but the



cold was intense, and the wind blew a perfect hurricane. Trees in various quarters were broken down. Between Crieff and Muthill, numbers of large trees were torn up by the roots, and many of them lying across the road, the mail coach from Perth to Glasgow was detained nearly two hours before the road could be cleared so as to enable it to proceed. The destruction of live stock in the highlands was great, and being almost the sole property in that quarter, must be severely felt by the proprietors. Out of flocks of sheep consisting of 1,000, not above one hundred have, in many instances, been saved; and those which still survive cannot find sustenance, nor will the snow permit of their being removed to the low country.

*Inverness.* — On Friday last about 7 o'clock in the morning, the gale burst out with fury, accompanied with thick-falling snow, and occasional showers of sleet, in a manner that afforded but little hopes for the safety of any living thing that might have been exposed to its fury. The Martinmas market, which was held there that day, was the means, however, of leading many persons from home, and the town was more crowded than could have been expected from the state of the weather. During the whole of that day, and the following night, the storm continued unabated, and even in the town, it became a matter of peril to pass from one house or street to another. As little or no business could be done in the streets, many of the people resorted in groups to the shelter afforded by the closes in town, and others to the public-houses—and it is to be feared, that to the necessarily prolonged visits of the people to these

places of entertainment, several of the accidents of that night must be ascribed. The loss of lives of people venturing home from the town to their places of abode in the country is variously estimated; it is certain, however, that no fewer than eleven or twelve perished in the vicinity of Inverness. A man and a woman were found dead next morning near Castle Stewart, and two other persons died on the road to Nairn. A woman of the name of Grant, although accompanied by her sister, expired at the Bridge of Moniack, within a short distance of her own house. Two young men, who left town for Strathdearn in the evening, were found in a state of exhaustion by the way side, and died shortly after. One man was found dead near Cuidrash, another near Arderdrea; a woman and her son, a boy of fifteen years of age, were likewise found dead at Duntemple, near the church of Boleskine, within 200 yards of their own door. Several persons have likewise been missing since Friday; and it is feared must be added to this melancholy list of deaths. Many were found on the roads in an exhausted and powerless condition; but, by the aid of passers-by and neighbours, recovered. The accounts from sea, are equally disastrous. The John and Alexander, belonging to this port, as well as two new schooners built at Spey, and belonging to Banff, have become complete wrecks, in the very harbour of Banff. Two vessels were driven on shore at Speymouth; and a vessel was lost off Stotfield. The Aultaskiach, of Aberdeen was driven ashore on the old bar of Findhorn, four miles below Nairn.

DESTRUCTIVE FIRE. — Tues-



day evening last, about half-past six o'clock, the elegant mansion of T. Hicker, esq., at Burton Park, near Petworth, was discovered to be on fire by a person accidentally passing by the front of it, who observed a considerable light in one of the centre bed-rooms. An alarm being given, the whole room was found to be one body of fire. The family were taking their dessert, having just dined. Shortly after seven o'clock, the earl of Egremont's and the town engines arrived on the spot, and soon commenced playing on the burning ruins. In the mean time, several persons were actively employed in saving the furniture and property, which was in part accomplished, but the fire having broke out in the centre, raged with increased fury, threatening the destruction of the whole mansion. It was got under about eleven o'clock, after having completely destroyed the centre and west wing of the building, together with the greater part of the valuable furniture and effects, including those of the elegant Roman Catholic chapel, which formed a part of the west end. The east wing, in which were the domestic offices, was saved, with the exception of the roof. It is understood that no part of the property was insured. The fire broke out in the sleeping apartments. A servant girl went up stairs to turn down the beds, and using only one hand for that purpose, while she held the candle in the other, set fire to the bed-curtains, and endeavoured to put it out, but in vain. The drawing-rooms, chapel, and the whole suite of rooms in the body of the house, were destroyed. The house was rendered a complete wreck, and many articles were stolen. The mansion has been rebuilt within

these few years, at the expense of many thousand pounds.

8. OLD BAILEY.—George Anccliffe and James Hill were tried for having administered to Henry Tyers, aged four years, a quantity of gin, which caused his death. In one count the offence was charged as murder, in another as manslaughter. Davis, a servant to the proprietor of the Portland-arms public-house, great Marylebone-street, deposed, that, at the request of the prisoners, he brought to them to the stables, three quarterns of gin, at short intervals, the greater part of which the two prisoners drank; the remaining portion of each quartern (something about half a glass) he gave to the child to drink, by the order of the prisoner Hill. Hill paid for the gin. The child afterwards came to the Portland arms for a fourth quartern of gin, to take to the prisoners at the stables; he did not then appear affected by the quantity he had drank. The prisoner Anccliffe was cleaning horses, and Hill was scouring a bit. Thomas Garrat, another servant at the Portland-arms, stated, that he took to the stables the quartern of gin ordered by the child; the child went with him. Hill asked the child, whether he would have some gin; the child answered yes. Hill filled the glass and gave it to him; the child drank it; Hill filled another glass and drank part of it, witness filled it again, Hill gave the full glass to the child, who drank it. Hill ordered another quartern (the fifth), witness brought it to him. Hill gave the first glass of it to the child; the child drank it, and part of the second glass. Hill paid for both quarterns. The child fell down and appeared in pain; neither of



the prisoners assisted him; Ancliffe was working: the child's mother then came to the stables, and asked the prisoners what they had done to her child; they made no answer; she then accused them of having given gin to the child, and threatened to complain of them to Hill's master; Hill denied that he had given it any gin, and added, that he did not care a damn for her or his master, or her husband's master; the mother then took away the child. Cross-examined by Mr. Phillips—The prisoner, Hill, appeared stupid and confused, as if he had been drinking. Ancliffe drank no part of the spirits, nor did he interfere in the matter; the child's father proved, that the child died that night. Mr. Baron Hullock charged the jury, that the offence, as proved in evidence, did not amount to murder; that the prisoner Ancliffe could not be considered to have taken a guilty part in the transaction; but that the prisoner Hill's careless, imprudent, and wanton conduct afforded legal ground for a verdict of manslaughter. Verdict—Ancliffe "Not Guilty;" Hill "Guilty of Manslaughter," recommended to mercy.

**SOCIETY OF ANTIQUARIES.**—The earl of Aberdeen, the president, exhibited, at the last meeting, the household book of James V. of Scotland, containing the accounts of his household, from Sept. 14, 1538, to Sept. 13, 1539. This book is a folio volume, of no inconsiderable size, and is legibly written, though in a contracted hand. It is divided into four parts; the first giving the general consumption and expenditure of the household; the second, that of the spices; the third, the wines; and the fourth, the stables.

Each part is subdivided into four sections, presenting, respectively, the accounts of the pantry, the buttery, the cellars, and the kitchen. The whole furnishes the names, as well as the uses and prices, of a great variety of articles in use among our ancestors.

**11. DEAF AND DUMB.**—Dr. Newbourg, of Brussels, has obtained complete success in his operations on five individuals, viz. Charles Destree, aged 11; Louis Dalorge, aged 15; and Barbe, Jane, and Henry De Laloy, aged 18, 16, and 15 years respectively. On the 22nd November he had the honour to present one of them to his majesty; and, having been since invited by the Provincial Medical Commission at Brussels to present these individuals at their meeting on Friday last, he went there with the young people on whom he had bestowed his care. The members of the commission examined them all respectively, and were convinced of the success of the operation performed by Dr. Newbourg; and the examination proved, that all five had acquired hearing and speech, of which they had been destitute from their birth. Dr. Newbourg exhibited the instrument with which he performed his operation, and by the examination of the parts operated upon, proved that the cure would be durable.—*Brussels Paper.*

**SLAVE TRADE.**—On the 6th of September, the Hope schooner, lieutenant Tucker, was ordered to scour the Bight of Benin, and examine more particularly Lago, Whydah, and Badagry. At Whydah, there were no fewer than twelve vessels waiting for slaves, and for the yam season, to take in their provisions; and one of



these, a large new brig, having on board 586 slaves, was captured by the Hope, after a gallant action of two hours and a half. The following is an account of this spirited affair:—"One of those vessels (a fine brig of 278 tons) had just come over from Rio Janeiro, with her water filled, slave-deck laid, and farinha and yams on board. She was, by her papers, allowed to take 701 slaves. After examining her papers and hold, lieutenant Tucker was sure she would be off in the course of a day or two; and, running out of sight, he placed himself in a situation likely to pick her up. As he suspected so it turned out; for the schooner was no sooner out of sight, than the monster who commanded the brig took on board, in the course of three hours, her inhuman cargo of these poor wretches, amounting, in men, women, and children, to 587. The next morning Tucker saw her, not far off, and, after a chace of twenty-eight hours, began an action with her, which was severely contested for two hours and a half, when the Hope, having two of her guns dismounted, Tucker made up his mind to board the brig, he being at this time slightly wounded. Under a young man, a Mr. Pengelly, who headed the boarders, a sharp contest took place; but the Portuguese soon called for quarter, and laid down their arms. Pengelly was shot in the side in boarding, but went on. The brig had thirteen killed, and twelve wounded; whilst our schooner lost not a man, and had but Mr. Tucker, Mr. Pengelly, and one seaman wounded. Five hundred and eighty-seven slaves were captured; but three of these victims were killed,

and eleven wounded. The brig had nine heavy guns, with a complement of seventy-six men; whilst our schooner had but (officers and all) twenty-six men, and five guns."

12. OPENING OF THE FRENCH CHAMBERS.—This day the king opened the session of the Chambers, at the Louvre. At a quarter before one, his majesty went by the gallery of the Museum to the royal sitting. Their excellencies the ministers, and the grand dignitaries, their highnesses the duke d'Orleans, the duke de la Chartres, and the Dauphin, preceded the king. A salvo of artillery, of twenty-one guns, announced his majesty's departure. A deputation of twelve of the peers of France, having the chancellor at their head, and a deputation of twenty-five of the deputies of departments, conducted by the officers of the ceremonies, went to receive the king, in the hall adjoining to the mosaic saloon. His majesty, after stopping and conversing some minutes with the members of the deputations, entered the Hall of the Sittings, and took his place on the throne. On his right stood the Dauphin, on his left the duke d'Orleans, and, on the right of the Dauphin, the duke de Chartres. In front, and on the left of the king, was placed the chancellor of France; on the right and left of the steps leading to the throne were the president of the council of his majesty's ministers, the secretaries of state, the ministers, the marshals of France, the knights of the orders of the king, the knights grand-crosses of the military order of St. Louis, and of the royal order of the Legion of Honour, the commanders of St. Louis, and the grand officers of the Legion, nominated by the



king to have their place near his person, and six of the masters of requests. The peers of France were placed on benches in front, and on the right of the king; the deputies of the departments were placed upon benches in front, and on the left of the king. The Dauphiness, the duchess de Berri, the duchess d'Orleans, one of the princesses, daughters of her royal highness, and mademoiselle d'Orleans, were present at the ceremony, on a raised seat.

14. ARMAMENT FOR PORTUGAL. — About eight o'clock this morning the right wing of the 2nd battalion of the 3rd regiment of Foot-guards, left the Mews, Charing-cross, and proceeded to the Birdcage walk, in St. James's Park, where they were drawn up, and marched off, the band playing an enlivening air. The men were in most excellent spirits and condition. The crowd presented laurels to the soldiers as they passed along, and exclaimed, "Bravo, my boys, you are sure of success." Several of the spectators also shook hands with the officers, who appeared delighted with the good feeling and affection displayed towards them and the soldiers. The first battalion of the Duke of York's regiment (the 1st Foot-guards) leave Portman-barracks this day at one o'clock. There is a general order given for the cavalry at Knightsbridge to hold themselves in readiness. The 10th (North Lincoln) regiment of Foot, now stationed at Limerick, and the 11th (North Devon) regiment of Infantry, at present stationed at Waterford, have received orders to prepare for immediate embarkation at Cork for Portugal. The *George the Fourth*, steam-boat, which arrived in the river

on Wednesday, from Lisbon, will sail with 400 or 500 troops. The English merchants, who have large properties at Oporto, have applied to government for immediate protection.

DELIBERATE SUICIDE. — An inquisition was taken at the Saracen's Head, Newport Pagnel, on view of the body of Edward Clarke, esq. (formerly a West-India merchant), who shot himself in a bedroom in that inn, on the Tuesday night preceding. The deceased arrived from London on Tuesday morning. He dined, and did not appear depressed in spirits. In the evening he took coffee, and before retiring to his bed-room, had a good fire made in the room, to relieve, as was supposed, a violent asthmatic complaint, with which he was affected. On the dressing-table he left a note, written with a pencil, and fastened by his shirt-pin to the table napkin:—"Dear Nephew — My asthmatic complaint affects my mind; my sufferings are no longer to be endured. Your affectionate uncle,

"EDWARD CLARKE."

"To Edward Hyde Clarke, esq. H. Van Hagen's, esq. Tickford Park."

"There is money in my pocket to pay my bill; 5*l.* for damage; and 2*l.* for the maid."

It was ascertained that, immediately after the unhappy man's arrival at Newport, he purchased at a gunsmith's six bullets. He had previously provided himself with a pistol and powder. The jury returned a verdict of "Insanity."

15. BERLIN. — This morning his majesty, on leaving his closet, at the usual hour, had the misfortune to fall in such a manner, that, his right leg coming under the left leg, the result was, the bone was



broken about three inches above the ankle. Shortly after, Dr. Wieble examined the fracture, and applied the proper remedies.

PARIS.—The following singular and amusing cause was heard before the Tribunal of Correctional Police a few days ago:—In 1821, M. Berbiguier de Terreneuve du Thym published a work in three huge octavo volumes, with plates, entitled “The Hobgoblins, or all the Demons are not in the other World,” with the following motto: “Jesus Christ was sent upon earth by God, the Father, to wash out the sins of mankind. I have reason to believe that I am destined to destroy the enemies of the Most High.” The arms which M. Berbiguier employs in destroying the enemies of the Most High, are brushes, pins, sponges, and snuff. By means of these he attacks them hand to hand, conquers them, and claps them into bottles. In his portrait he is represented with his hand on his heart, to show that he has said, or written, nothing but what he has himself seen. With a view to benefit mankind, he allowed no day to pass without imprisoning at least thirty hobgoblins in a bottle, until the equanimity of his soul was disturbed by an article that appeared in the “Biographie des Contemporains.” The author of this article, having, as it would appear, but a slender faith in hobgoblins, thus expressed himself:—“Berbiguier de Terreneuve du Thym has published his ‘Hobgoblins.’ This work is the production of a madman, and yet a writer has been found so wanting in delicacy as to arrange for publication these pretended memoirs, in which the existence of hobgoblins is maintained, and the principal members

of the faculty, who had treated M. Berbiguier for his mental malady, are pointed out as being amongst the number of these maleficent beings, or, in other words, are stigmatized as ‘devils incarnate.’” M. Berbiguier threw aside, for a moment, his brushes, pins, sponges, and snuff, and, seizing his pen, drew up a charge of defamation against the editor of the “Biographie,” and, in due time, the action came on for trial before the Tribunal of Correctional Police. The plaintiff’s counsel contended, that the article was evidently libellous, and called for 3,000 francs damages against the editor of the “Biographie.”—M. Berbiguier, interrupting his counsel, exclaimed, “Is it thus you support the interests of your clients? Three thousand francs for a work which has cost me fifty years’ labour! The least I can insist upon is 6,000 francs; and then gentlemen will soon be convinced of the modesty of my demand; for my work, which every one ought to know, not only proves the existence of hobgoblins, but treats of the means to be employed to take them alive.”—The President: “We have nothing to do with your work, or the existence of hobgoblins: the only thing to be ascertained is, if the article in question is libellous or not.”

M. B.—“Ah, you see the author is afraid of me; he dares not appear; and he is right, for I should soon put him into a bottle.” M. Berbiguier then approached the bench, his work under his arm, his hand upon his heart, and his pockets stuffed out with objects, which afterwards came to light. “Gentlemen,” said he, “I am a benefactor of mankind, in whose name I demand justice. I have



written to all the kings of the earth to inform them of my battles against the hobgoblins, those maleficent beings who are the cause of all crimes, misfortunes, murders, conflagrations, inundations, &c. From my youth I have been employed in the service of humanity, and I am now the victim of defamation; my devotion towards mankind will no doubt entitle me to prompt and signal justice." The amused audience were listening with the most profound attention, and endeavouring to restrain an explosion of laughter, when M. Berbiguier, feeling the necessity of convincing them of the truth of his assertions, drew from his pocket two brushes, the hairs turned towards each other, and tied together with a riband. "These brushes, gentlemen," said he, "contain the souls of the hobgoblins who came to attack me last night. Look at this bottle—well, it contains millions of hobgoblins. Oh, laugh as long as you like, but, were it not for me, you would not be so much at your ease, nor even the judges upon the bench. Mr. President, you see this instrument; well, if there be in this assembly a single damned soul, in two minutes you shall see it in this bottle."—The President told him to confine himself to the question of defamation, and not indulge in such incoherent language. M. B.—"So much the worse for you, if you see the matter in that point of view: it appeared to me that it might not be useless to you to learn the manner of catching hobgoblins: if at night, for instance—" President—"Let your counsel plead for you."—M. B.—"I am not a Satanist; I have protected the four quarters of the globe. I have always followed the precepts

of Jesus Christ. I trample upon the demons. The wretches! they hinder me from selling my excellent work. Last night, Dr. Pinel, who is also a hobgoblin, came to torment me. I struck him with my iron bar. I ought to have taken him." [The gravity of the President himself was now overcome, and shouts of laughter became general.] M. B.—"Laugh, laugh—so much the worse for you, if you are Satanists. I adore God, my Saviour: but still I am desirous to convert you. To-morrow I shall bring you, in another bottle, the damned soul of Dr. Pinel; you will then probably recognize all the important utility of my discoveries."—The President here ordered M. Berbiguier to be silent, and the Court deciding that there was no ground for a charge of libel, nonsuited the destroyer of hobgoblins with costs. M. B.—"I shall appeal from this decision; the Cour Royale has, I am sure, no Satanists amongst its members." M. Berbiguier was soon surrounded by a number of auditors, to whom he proceeded very methodically to explain the measures necessary to be employed in catching hobgoblins, and bottling them. It was not without some difficulty that he could be persuaded to quit the court.

18. HIS MAJESTY'S LETTER TO THE ARCHBISHOPS OF CANTERBURY AND YORK.—*Whitehall.*—My lord; I have the honour, in obedience to the commands of his majesty, to transmit to your grace a letter signed by the king, authorizing your grace to take proper measures for promoting subscriptions within your grace's province for the relief of the manufacturing classes in some districts of the united kingdom. It is pro-



posed that these subscriptions shall go in aid of those which have been entered into in the metropolis for the same benevolent and charitable purpose. I have accordingly to desire, in compliance with the terms of his majesty's letter, your grace will take immediate steps for promoting the objects therein set forth. I have the honour to be, my lord, your grace's most obedient humble servant,

ROBERT PEEL.

To the Archbishops of Canterbury and York, &c. &c.

GEORGE R.

Most reverend father in God, our right trusty and right entirely beloved councillor, we greet you well! Whereas the manufacturing classes, in some districts of the united kingdom, have suffered, and are still suffering, severe distress; and whereas many of our subjects have entered into voluntary subscriptions for their relief, and have, at the same time, most humbly prayed Us to issue our royal letters, directed to the lord archbishop of Canterbury and the lord archbishop of York, authorising them to promote contributions within their several provinces for the same benevolent purpose, We, taking the premises into our royal consideration, and being always ready to give the best encouragement and countenance to such humane and charitable undertakings, are graciously pleased to condescend to their request. And we do hereby direct, that these our letters be communicated by you to the several suffragan bishops within your province, expressly requiring them to take care that publication be made hereof, on such Sunday, and in such places within their respective dioceses, as the said bishops shall appoint, and that

upon this occasion the ministers in each parish do effectually excite their parishioners to a liberal contribution, which shall be collected the week following, at their respective dwellings, by the churchwardens or overseers of the poor in each parish, and the ministers of several parishes are to cause the sums so collected to be paid immediately into the hands of Messrs. Smith, Payne, and Smith, bankers, of our city of London, to be accounted for by them, and applied to the carrying on and promoting the above-mentioned good designs. And so we bid you very heartily farewell.—Given at our court at Windsor, the 16th day of December, 1826, in the seventh year of our reign. By his majesty's command,

ROBERT PEEL.

To the Archbishops of Canterbury and York, for a collection in aid of the subscriptions entered into for the relief of the manufacturing classes in the united kingdom.

19. KINGSTON ASSIZES.—Thomas Jones was indicted for uttering at Thursley, on the 9th September, a bank of England note for 10*l.*, knowing the same to be forged. The singularity of this case was, 'that the prisoner was perfectly blind. He was a musician by profession, and was in the habit of attending families in the neighbourhood where he lived. Prior to the month of September, he had lodged with his wife and a man servant, in the house of a Mrs. Evans, at Thursley. In the beginning of September, he went to London for a few days, and, on his return, he sent his landlady on the 7th to get a 10*l.* note changed. The note was changed by a Miss



Knowles, in the neighbourhood, and the money was given to the prisoner. On the 9th, he sent her again with another 10*l.* note to a Mr. Whitburne, a miller, to get changed, but without success. On the next day, the prisoner sent Mrs. Evans to Miss Knowles with the change of the first note, desiring the note to be given back. Whilst Mrs. Evans was in the house, Mr. Whitburne came in and detained the note, and understanding whence it came from, he obtained the assistance of a constable, and caused the prisoner to be apprehended. On his person were found six or seven one-pound country notes, and two or three counterfeit sovereigns. He was asked why he wanted change of a 10*l.* note, when he had smaller notes and other money in his possession?—He said he wanted more change to make good his payments.—He said he had received one of the 10*l.* notes on the sale of a musical instrument at Petworth, and the other at a public-house at Kingston. Mr. Christmas, the bank-note inspector, proved that both notes were forged in every particular. They were both printed from the same plate, bore the same date and number, and were on similar paper. The prisoner, in his defence, said he had received the notes in the way of his business, and had not the least knowledge of their being forged. He called no witnesses. Mr. Justice Bayley left the case to the jury, and said, the question was, whether the prisoner had uttered the note in question with a guilty knowledge; he called their attention to the prisoner's blindness, and the circumstance of his uttering the note in a neighbourhood in which he was well known. It was cer-

tainly singular, that, if the prisoner had received the notes in different places, they should correspond with each other in every particular. The jury found the prisoner guilty.

#### ATTACK ON THE DUBLIN MAIL.

—A very daring attack was made on the mail coach between Dublin and Cork, by a very numerous and determined banditti, but which was fortunately unsuccessful. On reaching a place called Rookville, about three miles on this side of Cashel, on the road to Cahir, about a quarter past one o'clock in the morning, two shots were fired from behind a wall, about breast high; the coachman immediately endeavoured to push forward, but the way was completely impeded by three cars heavily laden with stones, fastened together with strong ropes, and placed across the road. One of the shots had struck one of the leaders, and mortally wounded him, so that resistance was rendered necessary. The guard, who had fired, and again loaded, called on the "cowardly rascals to come forward;" they did not accept the challenge, but again fired a volley of about twelve shots, which they several times repeated, but without effect on either the coachman, guard, or passengers. Two of the passengers, Messrs. Connor and Wilmot, courageously descended from the coach, and extricated the wounded horse from the harness; in doing which one of them received a desperate kick from him, immediately after which the poor horse expired. Before their exertions were able to remove the cars, some time elapsed, during which the ruffians continued to fire; but finding so spirited a resistance, they did not venture from their lurking place, and at length went off. The coach then proceeded, and arriving



at a police station, about a mile distant, a party was instantly despatched in pursuit of them.

**EXTRAORDINARY MURDER.**—An extraordinary trial for murder took place at Dijon. A game-keeper, named Barnarvon, was found on the 16th of August, wounded in the most shocking manner; the unfortunate man had received eight stabs in different parts of the body, and a violent blow on the head, which had fractured his skull: he was carried to his dwelling, and, in the presence of his wife and children, made the following statement:—“Two neighbours called upon me, for the purpose of obtaining my assistance in preventing a miller named Audran from turning the course of a stream which belonged to them: after settling this business, I returned homewards, when, passing near a narrow road, Audran sprung from behind a hedge, and felled me to the earth with a bludgeon; while I was lying senseless upon the ground, he took out his knife, and stabbed me in the bosom; the pain caused by the second blow brought me to a sense of my dreadful situation, and rising on my knees, I said ‘Audran, take pity on my poor family, and do not kill me!’ My prayer was unheeded; he inflicted several stabs, and left me in the state in which I was found.” Audran was of course arrested, and brought into the presence of the dying man, who gave the above evidence. “But where did I commit the crime?” said Audran. “Near the wall of a garden belonging to Mr. Louis,” was the reply. Immediately after uttering these words, the wounded man expired. The police repaired to the place that was mentioned; no marks or the

smallest traces of blood were to be found; but the statement of Barnarvon, added to the circumstances of a coat which Audran wore on the day of the murder not being discovered, was deemed sufficient evidence; the jury found the prisoner guilty, and he was sentenced to death. Although the prisoner had denied most solemnly knowing anything about the crime, he stated, when brought back to the condemned cell, that he killed Barnarvon, not on the spot indicated by the latter, but in his (Audran’s) own garden, where a quantity of blood would be seen; this proved to be the fact; he added, that Barnarvon entered the garden for the purpose of committing robbery, that a struggle took place between them, and Barnarvon, who was a powerful man, fought in so determined a manner, that, notwithstanding the different stabs inflicted, had not the blow upon the head been given with a heavy piece of wood, which happened to be near the place of combat, he, the prisoner, would have been murdered. This statement reached the jury on the following day, and they requested the judge, who had passed the sentence of death, to recall several witnesses; they were re-examined by the jury, and the account given by the prisoner proved to be a fact. However, the trial was over, and the unfortunate man, who would have been acquitted, still remains in prison, under sentence of death; he is, of course, recommended to the king’s mercy, and there can be but little doubt that in a few days he will be liberated from confinement.

**YORK HOUSE.**—The scaffolding being now removed, the exterior of this noble mansion is now completely displayed. The build-



ing, which forms a square of about 150 feet, is entirely insulated; and has four stone fronts, consisting of a Corinthian order, with a single series of windows, placed upon a basement, with horizontal rustics. Each of these fronts varies somewhat in design. That towards the east has merely pilasters; those on the south and west have each a range of six columns, in the centre slightly advanced from the wall, and surmounted by a pediment; while the north front has a portico of considerable projection, beneath which carriages drive up to the grand entrance, which is on this side. From this entrance, an ascent of a few steps leads through a vestibule and colonnade into the hall, which occupies the centre of the building: it is 80 feet by 40, and rises to the summit of the roof. This hall is lighted by a lanthorn ceiling, and contains the grand staircase, which ascends on each side in two flights of stone steps, the resting-spaces of which are supported by two Atlantic figures. On a level with the hall, on the basement floor, is a suite of rooms in the south front, consisting of a dining-room, three drawing rooms, and library. In the west front, on the same floor, is a suite of private apartments. The state apartments are on the upper floor, and are entered through a peristyle of the Corinthian order, supporting the upper part of the hall. The principal rooms are a banqueting-room (in the north-front) 24 feet by 40; a gallery, occupying the whole length of the east side, and measuring 132 feet by 24, and in some parts 32 feet in width. This apartment is formed into three divisions, by means of columns. Adjoining this is a saloon (in the south front) 50

feet by 30, communicating with a drawing-room, with a very large semi-circular recess 43 feet by 36 and 25. The rooms on the west side are destined for a state sleeping-apartment. As a piece of architecture, this structure exhibits externally chasteness and elegance of design, with a considerable degree of grandeur, and certainly deserves to rank very high among the embellishments of the metropolis.

CASE OF HYDROPHOBIA. — A man of the name of Eve, residing near the Ship public-house, West Hanningfield, was bit, at the latter end of June last, by a little dog which he was caressing as he was sitting on the ground eating his breakfast, when the animal suddenly bit him on the upper lip, and immediately ran off; its next object of attack was a sow, which fell a sacrifice to the dreadful malady, at the end of about nine weeks. The dog was afterwards pursued and destroyed. It is to be lamented, that no local or general remedies were resorted to, till after the lapse of three or four days (his apprehension as to the nature of the wound not being sooner excited), and that, when apprized of his danger, he should have resorted for cure or prevention to one of those delusive antidotes held out by ignorant persons, who pretend to be furnished with specific remedies for warding off this most dreadful of human maladies. Mr. Mason, of Great Baddow, in whose employ Eve had been nearly ten years, observed his health declining for several weeks past, which he attributed to the pernicious remedies he was then using: still, however, Eve continued active so late as last Saturday. On the following evening, he first complained of general



langour and giddiness, with pain in the head and drowsiness, from which he thought he was relieved by a little refreshment, and a short sleep. These symptoms were succeeded, about the middle of the following day, by pain in the chest, attended by soreness and a slight stricture in the throat, when a medical gentleman was called in, who bled him, and administered medicine. From this period his sufferings gradually increased, until the more dreadful symptoms of hydrophobia were exhibited, which happened about twelve o'clock the same night, when another medical gentleman was called in, at which time it became impossible to administer any remedies by the mouth; the convulsive spasms, and the stricture of the throat and chest, being so violent and frequent, the poor man declared himself totally unable to swallow, and begged that no forcible means might be used at this period of the disease; even the sight of liquids of any kind appeared to excite spasmodic convulsions; strong opiate injections were resorted to, which there is reason to believe afforded him temporary relief. As he approached towards his end, the spasmodic convulsions became less frequent, and less severe; and he sank about ten o'clock the same evening, into a state of complete exhaustion.

24. FIRE IN DUBLIN.—A fire was discovered in the extensive stores of sir Abraham Bradley King, stationer to his majesty, which were full of stationery closely packed up in piles. The flames spread with the utmost rapidity: in a few minutes the whole of the stores were in a blaze, and all hopes of preserving the property were out of the question. The

fire in a very short time, communicated to the dwelling house in Dame-street, and spread with alarming impetuosity. Sir Abraham's family did not reside in this house, and there were no inmates save a young gentleman and an elderly woman-servant; but a number of individuals on perceiving the fire, burst into the house, and exerted themselves to preserve the premises. Notwithstanding all the exertions that were made, the fire increased, and, at eight o'clock, the roof fell in with a tremendous crash, bearing down all the floors of the house, which fell with accumulated weight upon the unfortunate individuals inside. These persons were instantly buried under the ruins; several persons were soon afterwards taken out; two of them quite dead, and others mangled and wounded in a frightful manner. The flames, in the mean time, spread far and wide, and seemed to threaten the whole neighbourhood with destruction. There was little or no supply of water, so that the engines, for some time, were of little effect. Happily, however, by the most extraordinary efforts, the fire was arrested in its progress, and little other injury to property was done, beyond what the premises of sir Abraham sustained. The property on these premises was very considerable, and little or nothing was saved. Not only an immense stock of paper, but money, expensive furniture, and an entire and valuable service of plate, were totally lost.

25. EXPEDITION TO PORTUGAL.—The *Pyramus*, which sailed from Portsmouth on the 18th in company with the *Romney*, was the first vessel with troops on board that entered the Tagus: this took place on Christmas-day, and the



circumstance was hailed by the spectators as an auspicious omen. The scene was one of the finest that can be imagined. The Tagus was covered with boats filled with spectators ; and our troops in full uniform, with arms presented, on deck, passed up the river, amidst the acclamations of the assembled multitudes. The troops, composing the second division of the 4th regiment of foot, remained on board on the following day.

25. **ESCAPE FROM PRISON.** — Wednesday night about nine o'clock, six of the male prisoners, employed in one of the divisions of the tread-wheels in Edinburgh Bridewell, suddenly attacked the inner turnkey, when in the act of removing them to their sleeping apartments, stopped his mouth with a handkerchief, and the same instant covered his head with a kind of hood, which they had previously prepared from a part of their bedding, and, having dragged him to one of the sleeping cells, tied his hands and feet, and while some lay above him to prevent his giving alarm, the rest possessed themselves of his keys, and proceeded to unlock the cells where some of the most daring of their companions were confined. All this was done in perfect silence ; and having, by means of one of the keys, taken from the turnkey, procured a hatchet, used for cutting oakum from the place where it had been, as usual, secured for the night, they locked the turnkey in the cell, and proceeded to force the outer iron gate of their ward, through which, by the prudent precaution of its having a differently constructed lock, they could not make their way with the keys belonging to the inner turnkey. This gate not being of sufficient

strength to resist the attack, speedily gave way ; and although the outer turnkey, at great personal risk to himself, resisted their attempt so long as he could with any prospect of success, they very shortly succeeded in gaining the open ground surrounding the building. The alarm having by this time reached the governor and other officers of the prison, who were all within the walls, they, aided by the prompt assistance of governor Rose of the gaol, and a party of police officers from the Calton watch-house, succeeded, notwithstanding the darkness of the night, in securing five of the fugitives, but the remainder, nine in number, owing to the very low and insecure state of part of the boundary wall, unfortunately effected their escape. It is satisfactory to know that all the officers of Bridewell were at their posts ; and that, so far as the investigation now in progress has yet gone, every door of the prison appears to have been duly locked, and secured agreeably to general orders.

26. **DUEL.** — *Dublin.* — This morning, at ten o'clock, Mr. Bric, accompanied by Mr. Fitzgerald, of Tralee, and Mr. Hayes, a solicitor, of Cork, attended by Mr. Gregg, of Cork, went to some fields on the north side of Dublin, to settle an affair of honour, which unfortunately terminated by Mr. Bric being shot in the left breast, and, the ball having passed through his lungs, he died in a quarter of an hour afterwards. The cause of this quarrel was as follows :—Mr. Bric and some other gentlemen were standing at the General Post Office, Sackville-street, on Sunday last, waiting the arrival of the Cork coach, to know the latest account of the contest between Mr.



Hutchinson and Mr. Callaghan. On the coach's arrival, a majority having been announced in favour of Mr. Hutchinson, Mr. Bric exclaimed, "Devil mend that ruffian Apostate Callaghan, we will put him down at last." Mr. Hayes, who was agent of, and a relation to, Mr. Callaghan, replied, "He is a ruffian that calls Mr. Callaghan so." On which Mr. Bric sent a challenge to Mr. Hayes.

27. ACCIDENT.—A man named George Marshall, a mate on board a Sunderland trader, lying in the river off Stepney, was drowned on Thursday morning. Marshall, who was a native of Stockton, Durham, was some time since engaged as mate on board the Janet, and the ship having performed her voyage to London, Marshall had gone on shore on Wednesday. In company with some companions, he had spent the evening merrily, and had indulged rather freely in the bottle. On his way to the ship he met an unfortunate female, whom he invited to accompany him on board. This was about half-past two in the morning of Thursday. As they were stepping from a boat into the ship, Marshall fell into the water, and being a heavy man, he nearly capsized the boat. The woman attempted to save him, and in the effort was drawn into the water. Drags were speedily procured, and after some time spent in searching for the bodies, they succeeded in getting out the woman, but the sharp part of the instrument used as a drag caught in her neck, and wounded several of the blood-vessels, particularly the carotid artery, so severely, that, before surgical assistance could be procured, she bled to death. The body of Marshall was soon after dragged out of the water

in a lifeless state, and, notwithstanding every exertion on the part of those who were present, animation could not be restored.

28. COURT OF REQUESTS.—*Brown v. Pearce.*—Mr. Brown, a respectable licensed-victualler, sought to recover the sum of 8s. due to him by the defendant. Mr. Pearce appeared in *propria persona*, to answer to the demand. Mr. Brown stated, that the debt in question had been contracted nine years ago, and produced two or three books; but, upon looking into them, he discovered that the debt in question had not been entered in any one of them. He was about therefore to apply for an adjournment, when the defendant stood forward, and said, that it was of no use to postpone the case, as he had the best defence in the world. Chairman—"What defence have you?" Defendant—"Why I have been sentenced to be hanged?" Chairman—"Sentenced to be hanged?" Defendant—(with an attempt to whimper)—"Yes, five years ago, I was sentenced to be hanged at the Old Bailey." A Commissioner—"For what offence?" Defendant—"For burglariously breaking into and entering a dwelling house in the night time." Chairman—"Whose house?" Defendant—"My father's.—Yes, sir, five years ago, I was tried and sentenced to be hanged by the neck, by the late worthy recorder, who, however, was doomed to go out of the world before me. The court changed my sentence to transportation, and I was confined two years and a half in the House of Correction, so that whatever money or goods I had were forfeited to the king; and, of course Mr. Brown has no claim upon me." Chairman—"Well, Mr,



Brown, this defence is a very horrible one, to be sure; but I believe it is fatal to your demand."

**MURDER.**—Two females, who lived in a village near Loghrea, in the county of Galway, having a small fortune, received the addresses of two men, who were considered by their friends as below them in rank. They made an appointment with their lovers to bring them all the money they could collect on a certain night, and meet them at an appointed place, for the purpose of eloping. One of the females came some time before the other, and also before the men; she concealed herself until the other should arrive. In a short time the men came, and then the other female. The pretended lovers seized her immediately, took from her all the money she had, and threw her into a burning lime kiln. The female, who had been a concealed spectator, fled as quickly and as secretly as she could—overtook a carman, who concealed her under hay on his car, until he came to the nearest police station, where they informed the police of the transaction. They instantly went to the spot, where they found the murderers, and got the money in their possession; having secured them, they examined the limekiln. There they found the remains of the unfortunate victim of credulity burned to a cinder, her two hands alone excepted, with which she had clung to the side of the kiln, above the flames, so that they were not consumed. The police brought with them the murderers, and lodged them in the county gaol.

**LIBELS.**—The late term was more than usually prolific in actions of libel, and motions for criminal informations against the

proprietors of newspapers. The following is an accurate list of the different cases as they occurred in courts:—In the King's-bench four conditional orders, for criminal informations, were obtained against —Richards, the proprietor of "the Age," at the suit of W. Easthope, M.P., the earl of Glengall, lord W. Lennox, and W. Molloy Westmacott; against Shackell, the proprietor of the "John Bull," at the suit of Mr. Hartshorn; against Chapman, the proprietor of the "Sunday Times," at the suit of W. Wellesley Pole; against Fairman, the proprietor of "the Palladium," at the suit of lord W. Lennox; against the proprietor of the "Cheltenham Journal," at the suit of the rev. Mr. Campbell; and against Mr. Duncombe, the publisher, at the suit of Madame Vestris. Actions for libel were tried in the following instances: — Smith *v.* Brodie, of "the Times," damages 5*l.*; Fisher *v.* Clement of the "Morning Chronicle," 30*l.*; Wright *v.* Jerdan, of the "Literary Gazette," 50*l.*; Forster *v.* Clement, of "Bell's Life in London," 30*l.*; Harris *v.* Wheldon, of the "British Traveller," 100*l.*; Freeman *v.* Price, of the "Leicester Journal," 10*l.*; and lord Arundell *v.* Shackell, of the "John Bull," fine to the king of 150*l.* The editor of a periodical published in London, called, "The Portuguese," was brought up during the term, to have judgment pronounced for a libel on the marquis de Palmella, the Portuguese ambassador; he was only required to enter into his own recognizances. The only cases in which the defendants were successful, were those of Bourke *v.* "the Courier and Morning Chronicle;" which terminated in a verdict for the defendants; and



that of Neill, M.P., *v.* Clement, for an alleged libel in "Bell's Life in London," in which the court refused to grant a criminal information.

**CRIME.**—By the statement returned to the Secretary of State's office on the 1st inst. by Marsden, the gaoler of Marlborough-street-office, it appears, that the number of prisoners committed to the different gaols, from that office alone, amounted, up to the 31st of December, to 3103, being an increase on the return made on the 1st of January, 1826, of 1676. Comparing this statement with the return made by him for the year 1813, the advance of crime appears lamentably out of all proportion to the increase of population, amounting within a fraction to a quadru-

ple number. The following is an extract from the official returns for the last 14 years:—1813, 789; 1814, 902; 1815, 919; 1816, 1496; 1817, 1615; 1818, 1738; 1819, 1823; 1820, 1416; 1821, 1268; 1822, 1503; 1823, 2010; 1824, 1903; 1825, 2425; 1826, 3103.

**SWORD FISH CAUGHT IN THE FRITH OF FORTH.**—Mr. Slight, one of the assistant engineers under Robert Stevenson, esq., has sent to the College Museum at Edinburgh a remarkably fine specimen of the sword-fish, which was found, in the month of September last, lying on the banks of the Forth, between Stirling and Alloa. It is seven feet in length, perfect in all its parts, and will form a most interesting addition to the museum.



## APPENDIX TO CHRONICLE.

## SHERIFFS FOR THE YEAR 1826.

<i>Bedfordshire</i> .....	R. Elliott, Goldington, esq.
<i>Berkshire</i> .....	W. Mount, Wasing-place, esq.
<i>Buckinghamshire</i> ....	George Morgan, Biddlesden Park, esq.
<i>Cambridge and Hunt- ingdon</i> ..... }	Thomas Skeels Fryer, Chatteris, esq.
<i>Cheshire</i> .....	W. Turner, Pott-Shrigley, esq.
<i>Cornwall</i> .....	T. Daniel, Trelissick, esq.
<i>Cumberland</i> .....	H. Senhouse, Nether Hall, esq.
<i>Derbyshire</i> .....	Sir R. Gresley, Drakelow, bart.
<i>Devonshire</i> .....	L. W. Buck, Daddon, esq.
<i>Dorsetshire</i> .....	C. Buxton, Wyke Regis, esq.
<i>Essex</i> .....	F. Nassau, St. Osyth Priory, esq.
<i>Gloucestershire</i> .....	R. H. B. Hale, Alderley, esq.
<i>Hercfordshire</i> .....	F. H. Thomas, Much Cowarn, esq.
<i>Hertfordshire</i> .....	Sir G. Duckett, Roydon, bart.
<i>Kent</i> .....	Sir John Fagg, Mystole, bart.
<i>Lancashire</i> .....	J. P. Maschell, Penny Bridge, esq.
<i>Leicestershire</i> .....	T. W. Oldham, Frith House, esq.
<i>Lincolnshire</i> .....	G. Manners, Bloxham, esq.
<i>Monmouthshire</i> .....	B. Hall, Abercarn, esq.
<i>Norfolk</i> .....	Sir E. Bacon, Raveningham, bart.
<i>Northamptonshire</i> ....	G. Payne, Sulby, esq.
<i>Northumberland</i> .....	W. Pawson, Shawdon, esq.
<i>Nottinghamshire</i> .....	G. Savile Foljambe, Osberton, esq.
<i>Oxfordshire</i> .....	W. P. W. Freeman, Henley-upon-Thames, esq.
<i>Rutland</i> .....	T. Hill, Uppingham, esq.
<i>Shropshire</i> .....	John Cotes, Woodcote, esq.
<i>Somersetshire</i> .....	W. Helyar, East Coker, esq.
<i>Staffordshire</i> .....	J. B. Phillips, Heath House, esq.
<i>County of Southampton</i>	Sir C. H. Rich, Shirley House, bart.
<i>Suffolk</i> .....	J. P. Elwes, Stoke next Clare, esq.
<i>Surrey</i> .....	H. Drummond, Albury Park, esq.
<i>Sussex</i> .....	J. Hawkins, Bignor Park, esq.
<i>Warwickshire</i> .....	Lionel Place, Weddington Hall, esq.
<i>Wiltshire</i> .....	T. Clutterbuck, Hardenhuish, esq.
<i>Worcestershire</i> .....	J. Taylor, Moor Green, esq.
<i>Yorkshire</i> .....	The Hon. Marmaduke Langley, Wykeham Abbey.

## SOUTH WALES.

<i>Breconshire</i> .....	E. W. Seymour, Porthmawr, esq.
<i>Cardiganshire</i> .....	T. Davies, Cardigan, esq.
<i>Carmarthenshire</i> .....	W. Du Buisson, Glynhir, esq.
<i>Glamorganshire</i> .....	Thomas Edward Thomas, Swansea, esq.
<i>Pembrokeshire</i> .....	J. H. Peel, Cotts, esq.
<i>Rudnorshire</i> .....	James Watt, Old Radnor, esq.

## NORTH WALES.

<i>Anglesea</i> .....	H. D. Griffith, Caerhun, esq.
<i>Carnarvonshire</i> .....	Kyffin John William Lenthall, Maenan, esq.
<i>Denbigh</i> .....	T. Fitzhugh, Piaspower, esq.
<i>Flint</i> .....	John Price, Hope Hall, esq.
<i>Merionethshire</i> .....	W. Cassen, Cynfel, esq.
<i>Montgomeryshire</i> .....	John Hunter, Glynhafren, esq.



## BIRTHS.

## BIRTHS.

## JANUARY.

2. At Duffield, near Derby, the lady of sir Charles Colville, a daughter.  
 5. Viscountess Chetwynd, a daughter.  
 7. At her house in Albemarle-street, lady Frances Levison Gower, a son.  
 8. At Beverley, the lady of the hon. Alexander Macdonald, son of lord Macdonald, a son.  
 10. At the Vicarage, Bradford, the lady of the Rev. Henry Heap, a son.  
 11. At Teddington, the lady of the Rev. John Harcourt Skrine, a daughter.  
 — At South Audley-st., lady Frances Bankes, a son.  
 13. The lady of Robert Sayer, esq. of Sibton Park, a son and heir.  
 18. At the Vicarage, Southwell, Nottinghamshire, the lady of the rev. R. H. Fowler, a daughter.  
 22. The lady of Francis Baring, esq., a son.  
 27. At Fitzharris House, the lady of Wm. Bowles, esq., a son.  
 Lately, at the Vicarage, Bradford, Wilts, the lady of the rev. Howel Jones, a daughter.

## FEBRUARY.

2. At Clifton, the lady of Richard Donovan, of Ballymore, county of Wexford, esq., a son.  
 4. In Weymouth-street, Portland-place, the lady of H. S. Montagu, esq., a son.  
 — The lady of capt. Edw. Purvis, of Reading, a son.  
 8. The lady of B. Pead, esq. of Walthamstow, Essex, a daughter.  
 11. At Burghwallis, lady Louisa, the lady of Wm. Duncombe, esq. a son and heir.  
 12. At Basildon Park, Berks, the lady of sir Francis Sykes, bart. of a son.  
 — At Combhay House, the lady of W. G. Langton, jun. esq. a daughter.  
 17. At Aldersey Hall, the lady of Sam. Aldersey, esq. a daughter.  
 18. At the Dowager lady Rivers, Winchester, the lady of the rev. Joseph Story, a son.  
 20. At Sandhurst, near Gloucester, the lady of the rev. W. Fred. Mansel, a daughter.  
 — At Pinner, Middlesex, the lady of Henry John Pye, esq. a son.

21. At Ramsgate, the lady of W. S. Roe, esq. a son.

— The march. of Clanricarde, daugh. of the rt. hon. Geo. Canning, a daugh.

26. At Houghton, the hon. Mrs. C. Stourton, a son.

Lately, in Park-lane, London, lady Caroline Morant, a daughter.

## MARCH.

3. At Gloucester, the lady of Dr. Hall, master of Pembroke college, and one of the prebendaries of Gloucester cathedral, a son.

5. The lady of Christ. Saltmarshe, esq. a daughter.

— At Donhead Rectory, the lady of the rev. W. Dansey, a son.

6. The lady of John Okes, esq. a dau.

— In Hereford-street, Park-lane, the lady of sir Edward Poore, bart. a son and heir.

13. At Westow, the lady of sir Tatton Sykes, bart. a son and heir.

14. The lady of Stephen Wilkinson, esq. Holderness-road, a son and heir.

15. At the Rectory House, Soham, the lady of the rev. W. Wilson, a daugh.

18. At Tilness Park, Sunning Hill, Berks, the lady of the right hon. lord Gavagh, a son.

20. At the Rectory, Hargrave, Northamptonshire, the lady of the rev. W. L. Baker, a daughter.

24. At Rhode Hill, Devonshire, the lady of rear-adm. sir John Talbot, K.C.B. a son and heir.

28. At Holme, near Market-Weigh-ton, the hon. Mrs. Langdale, a son.

## APRIL.

2. The lady of Thomas Wilson, esq. of Dulwich, a son.

3. At Ringmere, the lady of Major Cator, royal artillery, a daughter.

5. The lady of Dr. Ogle, Aldrician professor of medicine in the university of Oxford, a son.

5. In Windsor-castle, Berks. the lady of Wm. Mousell, esq. of a son.

7. The lady of J. Miles, esq. of Southampton-row, Russell-square, a son.

8. At Aldborough Lodge, near Boroughbridge, the lady of Andrew Lawson, esq. a son.

9. Mrs. Neate, of Warminster, of three children—a boy and two girls.

18. In Grosvenor-street, the lady of Paulet St. John Mildmay, esq. M. P. of a son.



## BIRTHS.

19. At Chichester, the lady of the hon. and rev. Edw. John Turnour, a son and heir.

29. At Hampstead, the lady of J. B. Nichols, of Parliament-street, a son.

30. At Holmpton, Yorkshire, the lady of R. Lacy, esq. a daughter.

## MAY.

2. At Hambrook-house, near Bristol, the lady of col. Brereton, a daughter.

— At Abbot's Leigh, the lady of Robert Bright, esq. a son.

3. At Haverfordwest, Mrs. Lloyd Philips, of Dale Castle, Pembrokeshire, a son.

4. In Somerset-street, Portman-sq. the lady of Nicholas Harris Nicolas, esq. barrister at law, F. S. A. a daughter.

8. At the Rectory House, Woodstock, the lady of the rev. Dr. Mavor, a dau.

12. The lady of J. T. Justice, esq. of Spring-gardens, a son.

16. The lady of T. C. Yates, esq. Pembroke-house, Clifton, a daughter.

— At the Rectory house, Lacey, near Great Grimsby, the lady of the rev. Thos. Dixon, three fine boys.

17. At Brasted Park, Kent, the lady of Edmund Tarton, esq. a daughter.

18. At Manor-place, Edinburgh, the lady of Dr. Hibbert, a son.

19. At York, the lady of sir William Foulis, bart. a daughter.

21. At Redbourne House, Herts, the lady of Robert Thornton Heysham, jun. esq. a son and heir.

25. At his house in Charlotte-street, Berkeley-square, the lady of Charles Douglas Halford, esq. a daughter.

26. At Elvington, York, the lady of Robert Denison, a son and heir.

27. At Vale Royal, the right hon. lady Delamere, a son.

— At Rolleston-hall, Stafford, the lady of sir Oswald Mosley, bart. a dau.

28. The lady of lieut.-col. Anwyl, 4th reg. a daughter.

## JUNE.

1. Countess of Mount Charles, a dau.

5. At Lilley rectory, the lady of the rev. Dr. Bland, a son.

— In London, the lady of the hon. J. Thornton-Leslie Melville, a son.

7. The lady of P. Horrocks, esq. of Penwortham Lodge, a daughter.

— At Ballinrobe, the lady of lieut.-col. Thackwell, of the 15th or King's Hussars, a daughter.

9. The lady of Samuel Page, esq. of Dulwich, a son.

— At Astley Castle, Warwickshire, lady Barbara Newdigate, a son.

10. At the Government House, Jersey, the lady of his excellency major-gen. sir Colin Halkett, K. C. B. and G. C. H. a son.

13. Hon. Mrs. Geo.-Lionel Dawson, a daughter.

17. At Moor Park, the lady of C. F. Wise, esq. Holt Lodge Farnham, a dau.

— At the Rectory, Buriton, Wiltsh. the lady of the rev. Brownlow Poulter, a son.

19. The duchess of Bedford, a daugh.

22. In Upper Seymour-st., the lady of Donat. Henchy O'Brien, esq. captain R. N. a son and heir.

— At Bath, the lady of W. Ludlow, esq. a son.

26. In Wimpole-street, the lady of John Mitchell, esq. a daughter.

24. Lady Radstock, a daughter.

28. The lady of the hon. and rev Thomas Monson, a daughter.

## JULY.

1. The lady of Benj. Rouse. esq. of New Bridge-street, London, a son.

3. The lady of G. Cave, of Cleve Dale, Bristol, a daughter.

8. The Marchioness of Ely. a daugh.

— At the Rectory House, Routh, the lady of the rev. J. L. Hutchinson, a son.

11. At Thame, the lady of G. Wake-man, esq. a son.

13. The lady of John Crosse, esq. of Hull, a daughter.

— At Powick Court, Worc. the lady of John Somerset Russell, esq. a son and heir.

— At Athlone, the lady of maj. Turner, R. H. A. a son.

— The lady of the hon. Rob.-Henley Eden, M. P. a son.

— At Hempstead Court, Gloucestershire, lady John Somerset, a daughter.

14. In Tavistock-place, the lady of John Davison, esq. of East India House, a daughter.

16. Lady Blantyre, a son.

17. At Steventon Rectory, Hants, the lady of the rev. Wm. Knight, a daugh.

— The lady of the rev. Harry Farr Yeatman, of Stock House, Dorset, a son.

20. At Chale Rectory, Isle of Wight, the lady of the rev. Craven Ord, a dau.

21. At Knowsley, county of Lancaster,



## BIRTHS.

the lady of the hon. Edw. G. Stanley, M. P. a son and heir.

24. At Syndale House, Kent, the lady of John Hyde, esq. son and heir.

— At Standen, Hants. the lady of col. Scroggs, a son.

27. At Gwrych, Denbighshire, lady Em. Bamford Hesketh, a son and heir.

## AUGUST.

4. In Seymour-place, la duchesse de Coigny, a daughter.

— The lady of Dr. Holland, of Lower Brook-street, a daughter.

— At Glynde-place, Sussex, the seat of the hon. gen. Trevor, the lady of sir T. H. Farquhar, bart. a son.

— At Birtles, Cheshire, the lady of T. Hibbert, esq. a daughter.

7. At Woodhall Park, Herts, the hon. Mrs. A. L. Melville, a daughter.

8. At Belle Vue, the lady of Edward Franklin, esq. banker, Westbury, a dau.

11. The lady of John Thomas, esq. of Caerlady House, Glamorganshire, a dau.

17. At Fawley, near Southampton, the lady of the rev. Geo. Downing Bowles, a son.

22. In South Audley-street, her excellency the march. de Palmella, a dau.

23. In Leeson-street, Dublin, the lady of W. Haigh, esq. a daughter.

28. At High Legh, Cheshire, the lady of George John Legh, esq. a daughter.

## SEPTEMBER.

2. At Eaton Lodge, the lady of Jos. Walker, esq. a son.

7. At Hursley Park, the hon. lady Heathcote, a son.

— At Moor Park, Farnham, the lady of Thos. Naghten, esq. of Crofton-house, Titchfield, a daughter.

— The lady of George Fort, esq. Alderbury-house, Wilts, a son.

12. At the Vicarage, Huddersfield, the lady of the rev. J. C. Franks, a son and heir.

19. At Radway, Warwickshire, the lady of lieut.-col. F. S. Miller, C. B. a son.

24. At East Horsley, Surrey, the hon. Mrs. Arthur Percival, a daughter.

27. At Elstone, in Wilts, the lady of Stephen Mills, esq. a son and heir.

— At Gillingham, Dorset, the lady of W. R. Bell, esq. a son.

30. In York-street, Portman-square, the lady of Stacey Grimaldi, esq. a son.

## OCTOBER.

1. At Guernsey, the lady of major Baynes, Royal Artillery, a daughter.

2. In Serjeant's Inn, the lady of W. E. Taunton, esq. one of his majesty's counsel, a daughter.

6. At Mrs. Yea's, Pyrland Hall, near Taunton, the lady of Francis Newman Rogers, esq. a son.

9. At the Vicarage, Hungerford, the lady of the rev. W. Cookson, a son.

15. At Ashling House, near Chichester, the lady of Geo. Fraser, esq. a son.

16. Mrs. W. H. Cooper, of South Villa, in the Regent's Park, a son.

— At Rochester, the lady of the rev. D. F. Warner, a daughter.

18. At Wentworth, Yorkshire, viscountess Milton, a son.

21. In Manchester square, the lady of Oswald Smith, esq. a son.

22. In Lower Brook-street, the lady of Thomas B. Hildyard, esq. of Winestead Hall, a daughter.

— At Stanley Hall, Shropshire, the lady of sir Tyrwhitt Jones, bart. a son.

27. At Pudlicott House, Oxf. the lady of sir Simeon Stuart, bart. a son.

Lately, at the Rectory, Huntingfordbury, the hon. Mrs. Eden, a daughter.

At Exeter, the lady of Dr. Coleridge, bishop of Barbadoes, a son and heir.

## NOVEMBER.

4. At Tyringham, the lady of T. B. Praed, esq. a daughter.

5. At Soho House, near Birmingham, the lady of Matthew-Robinson Boulton, esq. of Tew Park, county of Oxf. a son.

8. At Hill House, Tooting Common, Mrs. Venables, the lady mayoress, a son, just one hour before her husband resigned the Civic Chair.

13. At Ranger's Lodge, Oxfordshire, lady Lambert, a son.

— At Tarrant Hinton, near Blandford, the lady of the rev. W. Berry, a daughter.

14. At Roehampton, the right hon. lady Gifford, a posthumous son.

15. The lady of Geo. Dashwood, esq. a daughter.

16. At Melksham Spa, the lady of capt. John Nicolas, R. N. a son.

19. The hon. Mrs. Edward Cust, of a daughter.

21. At Maddington, Wilts, Mrs. H. L. Tovey, a daughter.

26. At Salisbury, the lady of the hon. and rev. Fred. Pleydell Bouverie, a son.



## MARRIAGES.

27. The lady of Chas. Grimston, esq. of Grimston Garth, a son and heir.

30. At Sydling House, Dorset, the lady of J. W. Lukin, esq. a daughter.

## DECEMBER.

1. In Weymouth-street, the lady of Rich. T. Kindersley, esq. barrister-at-law, a daughter.

4. At Clay-hill, Epsom, lady Byron, a daughter.

— At Terrett House, the lady of captain W. Stanhope Badcock, R. N. a son.

5. At Hale House, Surrey, the lady of Lee Steere, esq. a son and heir.

8. At Blake Hall, the lady of Capel Cure, esq. a son.

— At Great Malvern, the lady of E. H. Lechmere, esq. a son and heir.

11. At Rennishaw, the lady of sir G. Sitwell, bart. a daughter.

— At his house, 66, Lower Grosvenor-street, the lady of T. D. Alexander, esq. M. P. a son.

— At Swanbourne, Bucks, the lady of sir Thos. Francis Freemantle, bart. a daughter.

12. The lady of Allan Sandys, esq. a son.

15. In Curzon-st., the lady of capt. Bernard Yeoman, R. N. a son.

16. At East Sheen, Surrey, the lady of W. Gilpin, esq. a daughter.

17. The lady of the rev. Dr. Buckland, professor of mineralogy and Geology, at Oxford, a son.

21. At Harrow, the lady of the rev. Dr. Butler, a daughter.

25. At Oakley Hall, Hants, the lady of lieut.-col. W. Hicks Beach, a son and heir.

28. At Nether Broughton, Leicestershire, the lady of lieut. Elliot Morres, R. N. a son.

29. At Shrivenham, Berks, the lady of the hon. W. K. Barrington, a daughter.

Chas. Pearson, R. N. of St. James's-place, London, to Maria, daughter of the late John Sayers, esq.

4. At St. James's church, col. sir Robert Arbuthnot, K. C. B. Coldstream Guards, to Harriet, daughter and co-heiress of the late Thos. Smith, esq. of Castleton Hall, Rochdale, Lancashire.

6. At St. George's, Hanover-square, Wm. Henry, son of the late John Scandret Harford, esq. of Blaize Castle, Gloucestershire, to Emily, daughter of John King, esq. of Grosvenor-place.

10. At St. Andrew's, Holborn, Geo. Fraser, esq. lieut. R. N. youngest son of the late gen. J. H. Fraser, of Ashling House, near Chichester, to Emmeline, daughter of Mr. Bedford, Bedford-row, London.

— Hon. and rev. W. Thellusson, of Aldenham, Herts (brother of lord Rendlesham), to Lucy, daughter of Edward R. Pratt, esq. of Ryston House, Norfolk.

11. At St. Mary's, Bryanstone-sq., count Edward de Melfort, of Paris, to Mary Sabina, daughter of the late Thos. Nasmyth, of Jamaica.

14. At Upwood, Huntingdonshire, Jos. Hockley, esq. of Guildford, Surrey, to Jane, daughter of J. Pooley, esq. of Upwood-place.

17. Peter Heywood, esq. of the Inner Temple, to Sarah Harriette, daughter of Tho. L. Longueville, esq. of Oswestry.

At Preston, W. St. Clare, esq. M. D. to Sarah, dau. of S. Horrocks, esq. M. P.

— At Alderston, major Norman Pringle, son of the late sir James Pringle, of Stitchell, bart. to Anne, daughter of Robt. Steuart, esq. of Alderston.

18. At Richmond, the earl of Clare, to the hon. Eliz. Julia Georgiana Burrell, only daughter of the late lord Gwydir and the baroness Willoughby of Eresby.

19. At Bury, county of Lancaster, O. O. Walker, esq. to Mary, eldest daughter of T. Haslam, esq. of Chesham House.

23. At Bedale, county of York, rev. Thos. Rich. Ryder, vicar of Ecclesfield, to Anne, daughter of H. P. Pulleine, esq. of Crakehall.

24. At Petworth, Sussex, the rev. R. C. Willis, only son of admiral Willis, to Frances, daughter of W. Hale, esq.

25. At Saling, Essex, capt. Harnage, R. N. to Caroline, daughter of the late B. Goodrich, esq. of Saling Grove.

27. At Gamston, near East-Retford, W. Grant Allison, esq. of Louth, to Susanna Cath. daughter of the late T. Falkner, M. D.

## MARRIAGES.

## JANUARY.

3. At Doddington, county of Gloucester, the hon. Arthur Thellusson, brother of lord Rendlesham, to Caroline Anna Maria, daughter of sir C. Bethell Codrington.

— At Great Yarmouth, Norfolk, capt.



## MARRIAGES.

28. At Whitby, Geo. Merryweather, esq. of Socket Grove, near Stokesley, to Jane, daughter of J. G. Loy, M. D.

30. At Hesse, Lee Steere, esq. to Anne, daughter of James Kiero Watson, esq. banker, of Hesse Mount.

31. At Greenwich, lieut. Wm. Reynolds Foskett, E. I. Company's service, to Charlotte-Warren, eldest daughter of Mr. J. F. L. Jeanneret, of Maize Hill, Greenwich.

## FEBRUARY.

1. At Salperton, lieut.-col. Hicks Beach, R. N. Gloucester Militia, to Jane Henrietta, daughter of John Browne, esq. of Salperton House.

2. At Canterbury, Henry Bedford, esq. to Eliza, widow of capt. Herbert Wm. Hore, R. N. of Goulhore, county Wexford.

— At Wallingford, Rob. Hopkins, jun. esq. of Tidmarsh House, Berks, to Caroline, daughter of Chas. Morell, esq.

4. At St. James's Church, Henry B. Trevanion, esq. to Georgiana Augusta, daughter of Geo. Leigh, esq. and niece of the late lord Byron.

7. At St. Mary-le-bone, rev. Alfred C. Lawrence, to Emily Mary, daughter of the late Geo. Finch Hatton, esq. of Eastwell Park, Kent.

— At Winchester, N. Lipscombe Kentish, esq. cousin of the lord bishop of Jamaica, to Anna Maria, daughter of Mr. T. Judd, of the Livery, Winter-slow, Wilts.

— Thomas, son of W. H. Haggard, esq. of Bradenham Hall, Norfolk, to Maria, daughter of the late W. Tickell, esq. of Queen-square, Bath.

— At Yately, Hants, Fred. Glover, esq. capt. 49th regiment, to Mary, daughter of J. Broughton, esq. captain R. N. of Blackwater.

9. At Cheltenham, capt. Chas. Paget, to Frances, daughter of the late Wm. Edwards, esq. of New Broad-street.

— Hon. Thomas Lister, only son of lord Ribblesdale, to Adelaide, daughter of T. Lister, esq. of Armitage Park, county Stafford.

— At Walthamstow, rev. Geo. Rob. Gray, to Eliza, daughter of Wm. Tooke Robinson, esq.

10. At Hayes, co. Kent, lord Dunally, to hon. Emily Maud, sister of viscount Hawarden.

14. At St. George's, Hanover-square, sir Augustus Henniker, to his cousin,

the hon. Miss Eliz. Henniker, fourth daughter of lord and lady Henniker.

16. At Caton-Brookhouse, James Satterthwaite, esq. of Lancaster, to Miss Hughes, grand-daughter of Thomas Edmondson, esq. of Grassyard Hall, near Lancaster.

— At Teddington, Middlesex, the rev. Thos. Procter, to Charlotte, third daughter of the late Alex. Montgomerie, esq. of Annick Lodge, Ayrshire, brother to the earl of Eglinton.

17. At St. Martin's-in-the-Fields, London, the rev. Christ. Nevill, to Harriet Catherina, eldest daughter of T. B. Bower, esq. of Iwerne House, Dorset.

27. At. Quidenham, the seat of the earl of Albemarle, Henry F. Stephenson, esq. of the Middle Temple, barrister-at-law, to the lady Mary Keppel, second surviving dau. of the earl of Albemarle.

## MARCH.

1. At Walcot Church, Bath, Neston J. Fuller, esq. son of John Fuller, esq. of Neston Park, Wilts, to Anne Margaret, daughter of the hon. John Browne.

2. Samuel Gregson, esq. of Harley-street, to Ellen, daughter of the late Matthew Gregson, esq. of Liverpool.

7. At Worthen, in Shropshire, John Donne, esq. of Oswestry, to Letitia, only child of John Edwards, esq. of Hampton Hall.

— At Kirkham, Lancashire, the rev. James Radcliffe, curate of Kirkham, to Mary Eliz. daughter of the late John King, esq. vice-chancellor of the duchy of Lancaster, and niece to the bishop of Rochester.

8. At St. George's, Southwark, lieut.-col. Baumgardt, to Maria, eldest daughter of G. Parsons, esq. of West-square.

— At Leskard, lieut.-col. Fred. H. Philips, to Marg. daughter of John Pallister, esq. of Darryluskun, county Tipperary.

16. At Burton-upon Trent, the rev. C. J. Fynes Clinton, youngest son of the rev. Dr. Fynes Clinton, prebendary of Westminster, to Caroline, daughter of the late Joseph Clay, esq. of Burton.

— At Blair Vadock, Dumbartonshire, W. Tritton, esq. son of George Tritton, esq. of West Hill, Wandsworth, to Jane Dennistoun, daughter of Mr. and lady Janet Buchanan.

— Colonel de la Salle, an officer in the French service, to Miss Maria



## MARRIAGES.

Glenn, formerly of Taunton. This is the young lady who, some time ago, appeared before the public in the Bowditch abduction case.

18. At All Souls' Church, St Mary-le-bone, sir Montague Cholmeley, bart. M. P. of Easton Hall, Lincolnshire, to Catherine, daughter of Benj. Way, esq. of Denham Park, Bucks.

20. At St. Mark's Church, Dublin, captain Reynolds, 39th regiment, to Eliz. Jane, daughter of the late G. Tredenick, esq.

21. At Batheaston, the rev. George Sherer, vicar of Marshfield, Gloucestershire, to Mary Anne, daughter of the late J. Arnold Wallinger, esq. formerly of Hare Hall, Essex.

— At Stivichall, Fred. Grove, esq. capt. 13th Light Dragoons, to Frances Selina, eldest daughter of F. Gregory, esq. of Stivichall, Coventry.

Lately, the rev. Henry Perceval, rector of Charlton, Kent, and Washington, Durham, second son of the late right hon. Spencer Perceval, to Cath. Isabella, daughter of A. B. Drummond, esq. of Cadland, Hampshire.

In Paris, at the house of the British ambassador, Edw. Wakefield, esq. to Frances, only daughter of the rev. D. Davies, D.D.

At Exeter, major Northcote, second son of sir S. H. Northcote, bart. of Pynes, in Devonshire, to Harriette Ceeley, youngest daughter of W. C. Trevillian, esq. of Midway, co. Somerset.

At Norton, William Wilton Woodward, esq. of Pershore, Worcestershire, to Laura, youngest daughter of J. Hawkes, esq. of Norton Hall, Staffordshire, and grand-daughter of Wm. Herrick, esq. of Beaumanor Park, co. Leicester.

## APRIL.

5. At Whitby, the rev. Geo. Young, author of the History of Whitby, &c. to Margaret, daughter of the late Mr. Robert Hunter.

6. At Munich, C. H. Hall, esq. of his majesty's legation at that court, and son of the dean of Durham, to Maria Leopoldine, baroness de Welchs à la Glon, and canoness of the royal order of St. Anne.

10. At St. George's Church, Nicolson Rob. Calvert, esq. third son of Nicolson Calvert, esq. M. P., of Hunsdon House, Herts, to Eliz. eldest daughter of rev. D. Blacker, esq. of Tynan, Ireland.

10. Fred. Langley, esq. to Mrs. Curtis, of Park-lane, Grosvenor-square, widow of the late John Curtis, esq. M. P.

— At St. George's Church, Bloomsbury, the hon. and rev. Edw. Pellew, to Mary Anne, daughter of the late Dr. Winthorp.

11. At St. Peter's, Colchester, the rev. Thos. Newman, jun. rector of Alresford, in Essex, to Mary Ann, only dau. of the late R. R. Mills, esq. of Colchester.

— At Malvern, M. G. Benson, esq. eldest son of Ralph Benson, esq. of Lutwyche Hall, Salop, to Charl. Riou Browne, only child of the late col. Lyde Browne.

— The rev. S. Best, third son of the lord chief justice Best, to Charlotte, youngest daughter of the hon. Mr. justice Burrough.

13. At Tixall, Staffordshire, captain Chichester, 60th regiment, to Miss Constable, eldest daughter of the late sir Thomas Constable, bart.

17. At Paris, le marquis du Blaisel, chamberlain to the emperor of Austria, to Maria Matilda, second daughter of the hon. Wm. Bingham, of the United States of America.

18. At lord Ravensworth's, in Portland-place, sir Hedworth Williamson, bart. to the hon. Anne Eliz. Liddell.

20. At St. Mary's, Mary-le-bone, the rev. John Digby Wingfield, prebendary of Kildare, and rector of Geeshill, Ireland, to Ann Eliz. eldest daughter of sir John Wyldbore Smith, bart. of the Down House, Dorset.

— At St. Mary's Church, Bryanstone-square, Charles Peers, esq. of Chislehampton Lodge, Oxford, to Mary, eldest daughter of the late rev. Robert Lowth, of Grove House, Chiswick, Middlesex, and grand-dau. of bishop Lowth.

— At St. George's. Hanover-square, J. Macdonald, esq. M. P. (now sir Jas. Macdonald, bart.) to Anne Charlotte, daughter of rev. J. S. Ogle, of Kirkley Hall, Northumberland.

24. In Carlisle, sir Gerald George Aylmer, bart. of Donodie Castle, co. Kildare, to Maria, eldest daughter of the late col. Jas. Hodgson, of Carlisle.

26. In Harcourt-street, Dublin, the hon. William Browne, brother to the earl of Kenmare, to Anne Frances, second dau. of the late T. Segrave, esq.

— At Edinburgh, capt. Hope Johnstone, R. N. to Ellen, eldest daughter of sir Thos. Kilpatrick, bart.

27. At Reading, Fras. H. Buckeridge,



## MARRIAGES.

esq. son of the late lieut.-col. Buckeridge, of Binfield Grove, to Mary Ann, daughter of the late John Bockett, esq. of Southcot Lodge.

Lately, at Torrington, capt. Colby, R. N. to Mary, daughter of Jn. Palmer, esq. and niece to the dean of Cashel.

The rev. C. H. Wybergh, son of Thos. Wybergh, esq. of Isell Hall, Cumberland, to Anna Maria, daughter of the late rev. Francis Minshull, rector of Nunney, Somersetshire, and grand-daughter of the bishop of Carlisle.

## MAY.

2. At St Mary-le-bone Church, Jas. Phillipps, esq. of Bryrgwyn, Hereford, to Lucy Mary Ann, eldest daughter of lieut.-gen Burr, of Portland-place.

— At Hornsey Church, the rev. Chauncy Hare Townsend, to Eliza Frances, eldest daughter of col. Norcott, K. C. B.

3. At St. Margaret's, Westminster, Alex. eldest son of Alex. Copland, esq. of Gunnersbury Park, Middlesex, to Maria Ursula, daughter of the late Geo. Garland, esq. of Stone, Wimborn, Dorset, and sister of B. L. Lester, esq. M. P. for Poole.

4. At Kilmiston, Hants, the rev. Francis North, preb. of Winchester, to Harriet, daughter of sir Henry Warde, of Dean House, K. C. B. governor of Barbadoes, &c.

9. At Watford Church, Herts, Thos. Truesdale Clarke, jun. of Swakeleys, Middlesex, esq. to Jane Selina, eldest daughter of the hon. and rev. W. Capel, vicar of Watford.

10. At St. George's, Bloomsbury, the chevalier de Pambour, aide-de-camp to gen. visc. Donnadieu, to Harriet, daughter of John Falconer Atlee, esq. of West Hill House, Wandsworth.

— At St. Mary-le-bone Church, Brice Pearse, esq. to Harriet Georgiana, eldest daughter of sir R. Williams, bart. M. P. for Carnarvonshire..

— At Blaenporth capt. J. Lewes, to Mary Anne Jane, daughter of John Vaughan, esq. of Tyllwyd, Cardiganshire.

12. At Claines, the rev. Wm. Henry Galfridus Mann, of Bowden, Cheshire, to Barbara, eldest daughter of Richard Spooner, esq. of Brickfields, near Worcester.

13. Lady Eliz. Grey, daughter of earl Grey, to John Bulteel, esq.

16. At Newent, John, only son of

John Freeman, esq. of Gaines, Hereford, to Constantia, second daughter of archd. Onslow.

16. At Stoke-Gifford, Henry, eldest son of sir H. Every, of Eggington House, Derbyshire, bart. to Maria C. Talbot, daughter of the late dean of Salisbury, and niece to the duke of Beaufort.

17. At Penn, Staffordshire, Thomas Moss, son of W. Phillips, of Chetwynd House, co. Salop, esq. to Ellen Pershouse, daughter of W. Thacker, esq. of Muchall Hall, co. Stafford.

27. At St. Mary's Church, Mary-le-bone, Francis A. Morris, esq. late of the Royal Lancers, to Sophia, daughter of John J. Halford, esq. of York-place, and of Kelgwn, in Carnarthenshire.

30. At Swimbridge, the rev. J. Russell, jun. to Penelope, daughter of the late adm. Bury, of Dennington, Devon.

— At Kensington Church, James Henry Clough, esq. to Miss Stone, of Rolleston Park, Staffordshire.

— At St. Pancras New Church, Rob. Christopher Parker, esq. of Greenwich, to Harriott Maynard, daughter of W. Scott Peckham. esq. of Mornington-crescent.

— At Whitby, Durham, W. Richardson, esq. of York, to Anne, only child of Marmaduke Nelson, esq. late of Brauntingham.

31. At Bedale, York, John Hincks, esq. to Henrietta, daughter of Henry Percy Pulleine, esq. of Crakehall, Yorkshire.

Lately, at St. Mary's, Mary-le-bone, the rev. James Henry Cotton, precentor of the cathedral church of Bangor, to Mary Lawrens, niece of the late right rev. the lord bishop of Salisbury.

## JUNE.

1. At Walford, co. Hereford, the rev. E. B. Bagshawe, rector of Eygam, Derbyshire, and third son of sir Wm. C. Bagshawe, of the Oaks, to Jane, daughter of the late William Partridge, esq. of Monmouth.

— At Warwick, the rev. Edw. Willes, to Laura, daughter of S. Steward, esq. of Myton.

— At Leamington, Nich. Lee Torre, esq. son of the late James Torre, esq. of Snydale Hall, Yorkshire, to Eliza, eldest daughter of R. W. Elliston, esq. of Stratford-place, London.

— At Willesdon, Edward Osborne,



## MARRIAGES.

third son of the late John de la Chambre Smith, esq. of Waterford, to Mary Ann, youngest daughter of the rev. Dr. Fly, vicar of the former place.

1. At St. George's, Hanover-square, Charles, second son of the late James Balfour, esq. to Maria Caroline, daugh. of sir John Edward Harington, bart.

— At St. Mary's Church, Bryanstone-square, Jas. Hamilton Story, esq. to Sarah Thorpe, only child of Henry Waymouth, esq. of Bryanstone-square.

— At New Church, St. Mary-le-bone, capt. Geo. Probyn, to Alicia, daughter of sir Francis Workman Macnaghten, of Roe Park, co. Derry.

4. At Lord Macdonald's, Wimpole-street, the right hon. the earl of Hope-toun, to the hon. Louisa Bosville Macdonald, eldest daughter of major-gen. the right hon. lord Macdonald.

5. At Steventon, Hants, Edw. Knight, esq. of Chawton House, Hants, eldest son of Edw. Knight, esq. of Godmersham Park, Kent, to Mary-Dorothea, eldest daughter of sir Edw. Knatchbull, bart.

— Edward Foxhall, esq. of Baker-street, to Mary, daughter of the late Vincent Newton, esq. of Irnham, Lincolnshire, and Percy-street, Bedford-square.

— At St. Margaret's, Westminster, the rev. Herbert Oakeley, third son of sir Charles Oakeley, bart. and vicar of Ealing, Middlesex, to Atholl-Keturah-Murray, second daughter of the late lord Charles Aynsley, and niece of the duke of Atholl.

— At Bathwick, George Tito Brice, esq. late of 3rd Dragoon Guards, to Eleanor, only child of R. A. Salisbury, esq. late of Chapel Allerton, Yorkshire.

8. At Chatton, Northumberland, Cha. Nash, esq. of Whittlesford, to Jane Darling, niece of Matthew Culley, esq. of Fowberry Tower.

— At Dover, Peter Hesketh, esq. of Roasall Hall, Lancashire, to Eliza Debonnaire, only daughter of the late sir Theo. John Metcalfe, bart. of Fernhill, Berks.

— At St. George's, Bloomsbury, Edw. S. Hawkins, esq. of the Bengal army, eldest son of the late col. Thos. Hawkins, to Alicia Isabella, third dau. of the late J. Lumsden, esq.

13. At St. Mary's, Bath, Hugo M. Chadwick, esq. of Leventhorpe House, Yorkshire, only son of Chas. Chadwick, esq. of Healey, Lancashire, and Redware, Staffordshire, to Eliza Catherine,

sister of col. Chapman, C.B. and youngest daughter of the late general Chapman, of Tainfield House, Somerset.

15. At St. James's Church, Matthew, eldest son of Matthew Wilson, esq. of Eshton Hall, York, to Sophia Louisa Emerson, daughter of the late sir Wharton Amcotts, bart. of Kettlethorp Park, Lincolnshire.

— At Walton, Surrey, sir John-Powlett Orde, bart. to Eliza, daughter of the late Peter Campbell, esq. of Kilmorey, Argyle.

19. At Chiswick, lord Brudenell, to Eliz. Jane Henrietta, eldest daughter of admiral and lady Eliz. Tollemache.

20. At Speldhurst, Kent, the rev. Chas. C. Barton, to Emilia-Anne, eldest daughter of the late Hastings Nath. Middleton, esq.

— The rev. John Williams, vicar of Probus, co. Cornwall, to Anne, daughter of the late sir W. Elias Taunton, of Grand Pont, near Oxon.

21. At Hemel Hempsted, Charles Ormerod, esq. to Sarah, daughter of E. J. Collett, esq. M. P. of Lockers House, Herts.

— At Funtington, in Sussex, major W. Hewitt, second son of gen. sir Geo. Hewitt, bart. to Sarah, second daughter of general sir James Duff.

— At Berlin, James Annesley, esq. consul at Barcelona, to the baroness Clementine, daughter of the baron of Brockhausen, minister of state, and formerly Prussian ambassador at Paris.

22. At St. George's, Hanover-square, Sackville Fox, esq. to the right hon. lady Charlotte Osborne, daughter of the duke of Leeds.

— The rev. Henry Clissold, co. Gloucester, to Marianne, eldest daugh. of the hon. Mr. Justice Bayley.

— The right hon. lord Massy, to Matilda, youngest daughter of Luke White, esq. of Woodlands, co. Dublin.

24. At St. George's, Hanover-square, Mr. Dutton, to lady Eliz. Howard, daughter of the earl of Suffolk.

29. At St. George's, Hanover-square, the hon. Mr. Moreton, son of lord Ducie, to Miss Dutton, dau. of lord Sherborne.

— At St. Margaret's, Westminster, Charles, third son of the late J. Marryat, esq. M. P. to Caroline, daugh. of Charles Short, esq. of Great George-street, Westminster.

30. At Glenlee, N. B. the chief of Clanronald, to the right hon. lady Ashburton.



## MARRIAGES.

## JULY.

4. At Newington, lieut. Glassen, of R. M. to Cecilia, only surviving daugh. of the late sir J. M. Keith, bart. and sister to the present capt. sir G. M. Keith, bart. R. N.

— At Cardiff, Thos. Congreve Robe, esq. R. A. second son of the late sir W. Robe, to Eliza, only daugh. of the late Wm. Richards, esq. of Cardiff.

5. At St. Mary's, Bryanstone-square, col. Austin, of Kippington, Kent, to Caroline Cath. daughter of W. Manning, esq. M. P. of Combe Bank.

6. At White Parish, Henry William Mason, esq. of Beel House, Amersham, to Horatia, fourth daughter of George Matcham, esq. and niece to lord Nelson.

8. At Stow Bardolph, Norfolk, rev. Hen. Creed, of Chedburgh, near Bury, to Anne, youngest daughter of the rev. Philip Bell, vicar of Stow Bardolph.

— At Kensington, lieut.-col. James George, 37th reg. E. I. C. to Agnes Charlotte, dau. of the rev. B. Kennett.

— John Yorke, esq. of Thrapston, Northamp. to Ellinor Lockwood, only dau. of the rev. W. Lockwood Maydwell.

— At St. James's, major-gen. sir Henry F. Bouverie, to Mrs. Wilbraham, youngest daughter of the late Lewis Montolieu, esq.

— At Weymouth, Benj. Goad, esq. of Wimpole-street, to Anne Eliz. only daughter of the late Robert Hill, esq. commissary general at the Mauritius.

11. At Stamford Baron, rev. John Russell Christopherson, rector of Grimsby Lincolnsh. to Caroline Mary, widow of J. G. Marshall, esq. of Elm, near Wisbeach, and daugh. of Hugh Jackson, esq. of Duddington, Northamptonshire.

12. Abel Smith, esq. M. P. to Frances Anne, youngest daughter of general sir Harry Calvert, bart.

— At Shelford, Cambridgesh. rev. Rich. Wright, to Charlotte Lewis, eldest daugh. of the late M. W. Wilson, esq.

— At Felbrigg, Norfolk, Geo. Thos. Wyndham, esq. of Cromer Hall, Norfolk, to Maria Augusta, second daughter of rear-adm. Windham, of Felbrigg Hall.

13. At Bradfield Combust, Suffolk, Mr. Arthur Blencowe, to Sarah, only dau. of Thos. Walton, esq. of St. Clare's Lodge, Bradfield St. Clare, near Bury.

17. At Preston church, Mr. Feltham, aged 70, to Mrs. Beith, aged 50. This is the fourth time the bride has been

led to the altar. It is also the fourth wife that Mr. Feltham has married.

18. At Jersey, lieut.-col. J. Vicq, E. I. C. to Mary, eldest daughter of Chas. Fixott, esq.

20. At St. Margaret's Westminster, C. V. Lightfoot, to Harriet, fourth dau. of C. W. Collins, esq. of Broom Hall, Surrey.

— At All Souls, Mary-le-bone, sir Charles Smith, bart. of Suttons, Essex, to Mary, second daughter of William Gosling, esq. of Portland-place.

22. At Tottenham, Robt. Miles, esq. E. I. C. to Jane, youngest daugh. of E. B. Corney, esq. of Old Broad-street.

24. Capt. W. Fanshawe Martin, R. N. eldest son of sir Byam Martin, to Anne, daughter of lord chief justice Best.

— At Crowland Abbey, Mr. Richard Morton, of Peakhill, to Sarah, eldest daughter of Chas. Wyche, esq. of Postland, Lincolnshire.

— At St. Neot's, Huntingdonshire, Geo. Lyche, esq. to Catherine, daughter of the late Owsley Rowley, esq. of the Priory, near St. Neot's.

25. At St. George's, Bloomsbury, Dr. Burton, of the Regent's Park, to Mary Eliz. eldest daughter of the late Wm. Poulton, esq. of Maidenhead.

— The rev. John Eveleigh, vicar of Darenth, Kent, to Mary, eldest daugh. of the rev. Rich. Wetherell, of Pashley House, Ticehurst, Sussex.

27. At St. George's, Hanover-square, the rev. Christ. Benson, rector of St. Giles's in the Fields, to Bertha Maria, eldest daughter of John Mitford, esq. of Lincoln's-inn, and great niece of lord Redesdale.

— At Topsham, Rich. Bright, esq. M. D. of Bloomsbury-square, to Eliza, youngest daugh. of Benj. Follett, esq. of Topsham.

29. At St. Mary-le-bone church, capt. Geo. J. Hope Johnstone, R. N. to Maria, daughter of Joseph Ranking, esq. of Ulster-place.

— At Shiplake church, the rev. Hor. R. Pechell, to Caroline Mary, third dau. of the right hon. lord Mark Kerr.

31. At Petersham church, J. Collett, esq. of Locker's House, Hemel Hempstead, to Emma, youngest daugh. of sir T. Gage, bt. of Hengrave Hall, Suffolk.

— At Durham, the rev. T. Harvey, to Marian, only child and sole heiress of the late John Forsett, esq. of Rushmere, Suffolk.



## MARRIAGES.

## AUGUST.

1. At Seaham, Durham, T. Surtees Raine, esq. of Croft, Yorkshire, to Margaret, youngest daugh. of the rev. Rich. Wallis, rector of Seaham.

— At St. Ibbs, Herts, And. Amos, esq. of Lincoln's-inn, barrister, to Margaret, eldest daughter of the rev. Wm. Lax Lowndes, professor of astronomy, Cambridge.

— At Parham Park, Sussex, George Rich. Pechell, esq. capt. R. N. to hon. Kath. Annabella Bishopp.

— At Mivart's hotel, Lower Brook-street, sir E. Mostyn, bart. of Talacre, North Wales, to Constantia Slaughter, of Furze Hall, Essex, third daughter of the late H. Slaughter, esq. and dowager viscountess Montague.

— At St. George's, Hanover-square, lieut.-col. Horton, to Frances Esther, second daugh. of the rev. W. Garnier, of Rooksbury, Hants.

2. At Mortlake, John Burton Phillips, esq. of Heath House, Staffordshire, high sheriff of that county, to Joanna Freeman Cure, daughter of the late Capel Cure, esq. of Blake Hall, Essex.

— At Taunton, lieut.-col. Harrison, C. B. to Mary, eldest daugh. of the late rev. Nath. Alsop Bliss, rector of Colerne, Wilts.

3. At Croft, county of York, Edw. Thos. Copley, esq. of Nether Hall, near Doncaster, to Emily Mary, daughter of sir John Peniston Milbanke, of Halnaby Hall, county of York, bart.

— At Burslem, Staffordshire, Rich. Jones, esq. of Dunbren Hall, Llangollen, N. W. to Emma, daughter of Enoch Wood, esq. of the former place.

— At Brighton, Chas. Locock, M. D. of Berners-street, to Amelia, daughter of John Lewis, esq. of Southampton-place, Euston-square.

7. At Bletchington, county of Oxford, the rev. John Tyrwhitt Drake, rector of Amersham, Bucks, to Mary, third dau. of Art. Annesley, esq. of Bletchington.

8. At All Souls, St. Mary-le-bone, Edmund Dawson Legh, esq. to Cath. eldest daughter of sir Christ. Robinson, advocate-general.

— At Bathwick church, the hon. Hen. Benedict Arundel, brother of lord Arundel, to Lucy, only child of the late Hugh Smythe, esq. of Woodland Villa, Bath, and grand-daugh. of the late sir Edw. Smythe, bart. of Acton Burnell, Salop.

9. At Richmond, the rev. H. B. Worthington, vicar of Grinton, York, to Mary, only daugh. of Thos. Wilson, esq. of Richmond.

10. At Chetwynd, Salop, Wm. Owen Jackson, barrister-at-law, to Cath. Eliz. Bishton, eldest daugh. of Wm. Phillips, of Chetwynd House, esq.

— At Edinburgh, Stair Stewart, esq. of Physgill and Glasserton, to Helen, daughter of right hon. sir John Sinclair, of Ulbster, bart.

15. At Hampden, the seat of the earl of Buckinghamshire, the rev. Augustus Hobart, of Walton, county of Leicester, to Maria Isabella, eldest daugh. of the rev. Godfrey Egremont.

17. At Worthing, lieut.-gen. sir Rich. Church, K. G. C. &c. to Mary Anne, eldest daugh. of sir Robert Wilmot, bt. of Osmaston, Derby.

— At St. Nicholas, Glamorganshire, John Augustus, only son of the rt. hon. Jn. Sullivan, of Richings Lodge, Bucks, to Jane, daugh. of adm. sir Ch. Tyler, K. C. B. of Cotterel, Glamorganshire.

22. At Hatch Beauchamp, near Taunton, Edward Jacob, esq. R. N. to Sarah Anne, only daugh. of the late Edwin Le Grand, esq. of Canterbury.

23. At Bath, C. Clarke, esq. of Tipperary, to Sarah Otway, daugh. of the late capt. Loftus Otway Bland, R. N.

26. At Antwerp, John J. de Hochpied Larpent, esq. British Consul, to Georgiana Frances, daugh. of Fred. Reeves, esq. of East Sheen.

28. At Cheriton, near Dover, John Hey Puget, esq. of Totteridge, Herts, to Isabella, eldest daughter of Francis Hawkins, esq. senior judge of Bareilly, East India Company.

30. At Bath, Henry, eldest son of sir Rd. Bedingfeld, of Oxburgh Hall, Norfolk, bart. to Margaret, only daughter of Edw. Paston, esq. of Appleton.

— At All Souls church, Mary-le-bone, the rev. Eardley Childers, second son of the late col. Childers, of Cantley Hall, Yorkshire, to Maria Charlotte, eldest daughter of sir Culling Smith, bart. of Bedwell park, Herts.

31 At Edmonton, Geo. Savage Curtis, esq. of Gloucester-place, Portman-sq. to Emma, second daugh. of Wm. Curtis, esq. of Portland-place.

— At Buckden church, by the Bp. of Lincoln, the rev. Dr. Maltby, preacher of Lincoln's-inn, to Miss Margaret M. Green, youngest daugh. of the late major Green, and great niece to bishop Green,



## MARRIAGES.

## SEPTEMBER.

4. At Heston, Geo. Baillie, esq. of Hanwell Park. to Eliza, only daugh. of the late John Jones, esq. of Norwood House, Middlesex.

5. At Walthamstow, Edw. Vaughan Williams, esq. barrister at law, to Jane Marg. daugh. of the late rev. Walter Bagot, of Blithfield, Staffordshire.

— At Pontefract, Joseph Booth, esq. of Wragby, to Ann, youngest daugh. of Geo. Parker, esq. of Park House, near Pontefract, Yorkshire.

— Patrick Bannerman, esq. to Anna Maria, daugh. of sir Wm. Johnston, bt. of that ilk, Aberdeenshire.

7. At Liverpool, John Horatio Lloyd, barrister-at-law, to Caroline, daughter of Holland Watson, esq.

9. At Milton, Northamptonshire, the rev. W. C. Colton, to Louisa-Poyntz, second daugh. of John Miller, esq. late receiver-gen. for the county of Bedford, and niece of general Poyntz, of the 1st Life Guards.

12. At St. George's, Hanover-sq. the rev. J. Hurt Barber, rector of Aston Sandford, Bucks, to the lady Millicent Acheson, youngest daughter of the late earl of Gosford.

— At St. Pancras new church, Baldwin Francis Duppa, esq. of Lincoln's-Inn, to Catherine, second daughter of Phillip Darell, esq. of Queen-square.

— Capt. C. Hope, R. N. to Anne, daugh. of capt. Parry, R.N.C.B.G.C.S.

— At St. George's church, lord Suffield, to Emily Harriet, youngest daugh. of Evelyn Shirley, esq. of Easington Park, Warwickshire.

— At Shady Camps, county of Cambridge, Fitzgerald Wintour, esq. to Jane Eliz. only daugh. of the late Marmaduke Dayull, esq. of Shady Camps Park.

14. Capt. Watson, son of col. Watson, of Westwood House, Essex, to Frances, daugh. and sole heiress of the late John Butts, esq. of Kensington, Middlesex.

16. At Mary-le-bone church, the Comte de Chabannes, to Antoinette, daugh. of John Ellis, esq.

18. At St. George's, Camberwell, Robert Barclay, esq. R. N. to Mary, only daugh. of the late T. B. Matthews, esq. of Rochester.

19. At St. Margaret's church, Westminster, the rev. Henry Dashwood, youngest son of sir John Dashwood King, bart. M. P. to Anne, third daughter of Wm. Leader, esq. of Putney-hill.

27. At Swanbourne, Bucks, the seat of sir Thos. F. Fremantle, bart. sir Jas. Fitzgerald, bart. to Augusta Henrietta, second daugh. of the late vice-admiral sir Thos. T. Fremantle, G. C. B., &c.

— At Dover, Thomas Daniell, esq. capt. 89th reg. to Harriet Mary Anne, eldest daugh. of H. N. Watson, esq. of Charlton House, Charlton, near Dover.

— At Woolwich church, major Thos. Aston Brandreth, Royal Art. to Mary, widow of the late major Bennet, R. En.

Lately, at Dawlish, Devon, Edm. Wakefield Meade, esq. to Harriet, dau. of lieut.-col. Gustavus Rochfort, M. P. for Westmeath.

## OCTOBER.

3. At Netherseal, Leicestershire, Sm. Hood Wheeler Richards, esq. 6th Drag. Guards, to Jane-Anne, eldest daughter to the late capt. John Whyte, R. N.

— At Norwood-green, Middlesex, J. P. Beavan, esq. of Clifford-st. to Jane, eldest daugh. of the late W. A. Thackthwaite, esq.

— At Walton-on-the-Hill, P. G. Pantton, esq. to Anne Barton, only daughter of Daniel Russel, esq. and niece to the late sir Wm. Barton of Liverpool.

5. At Hale, Robert Pigot, esq. eldest son of sir George Pigot, bt. of Patshull, county of Stafford, to Mary, second dau. of the late Wm. Bamford, esq. of Bamford, Lancaster.

7. At St. George's, Hanover-sq. Rich. Kirwan, esq. capt. 9th reg. to Eleanor, daughter of the late Geo. Bond, esq. serjeant-at-law, and niece to lieut.-gen. sir George, and col. Henry Cooke.

— At Florence, Edw. John Stanley, esq. eldest son of sir John Stanley, of Alderly Park, Cheshire, to Henrietta-Maria, daughter of viscount Dillon.

9. At Hanover, by the rev. Jos. Merz, Geo. Fortescue Turvile, esq. eldest son of Fras. Fortescue Turvile, esq. of Husband's-Bosworth Hall, Leicestershire, to Juliana Henrietta, second daugh. of Adolphus Fred. Von Der Laucken, of Galenbeck in Mecklenburg-Schwerin.

10. At Wemyss Castle, N. B. the right hon. lord Loughborough, to Miss Wemyss, of Wemyss.

— At Aldenham church, capt. Philimore, eldest son of Robert Phillimore, esq. of Kendalls, county of Herts, to Miss West, of Portland-pl. daughter of the late Wm. West, esq. of Bedford-sq.

— At St. George's, Hanover-square,



## MARRIAGES.

John Dean Paul, esq. eldest son of sir J.D. Paul, bart. to Georgiana-Georgina Beauclerk, of St. Leonard's Lodge, Sussex, and grand-daughter of the late duchess of Leinster.

12. At Walthamstow, Essex, John Farquhar Fraser, esq. nephew of the late John Farquhar, esq. of Fonthill Abbey, county of Wilts, to Agnes, youngest daugh. of the late rev. Walter Bagot, of Blithfield, Staffordshire.

16. At South Kirkby, Yorkshire, the rev. S. Hodson, of Sharow House, rector of Thrapston, to Margaret, eldest dau. of the late Allen Holford, esq. of Davenham, Cheshire, the authoress of "Wallace," and other poems.

17. At Richmond, the hon. and rev. Baptist Noel, to Miss Baillie, eldest daughter of the late Peter Baillie, esq. of Dochfour.

— At St. Mary-le-bone church, Fra. John, youngest son of the late sir Henry Lambert, bart. to Catherine, only dau. of the late major-general Wheatley, of Lesney, in Kent.

— At Cheltenham, Hurt Sitwell, esq. of Ferney, Salop, to Harriet, second daughter of sir Joseph and lady Harriet Hoare.

18. At Chorley, capt. Hay, of the Carabineers, to Elizabeth, eldest daugh. of John Fowden Hindle, esq. of Gillibrand Hall, Lancashire.

— At Bothwell Castle, major Moray Stirling, of Ardoch, to the hon. Frances Elizabeth, daughter of lord Douglas, of Douglas.

23. At Alderley, Cheshire, capt. Wm. Edward Parry, R. N. to Isabella-Louisa, fourth daughter of sir Thomas Stanley, of Alderley.

— At Sudbury, Suffolk, Chas., eldest son of Charles Harris, esq. of Coventry, to Caroline, third daugh. of sir Lachlan Maclean, M. D.

26. Lieut.-col. Edw. Frederick, of the Bombay army, to Selina, only daugh. of Geo. Grote, esq. of Badgmoor, Oxfordsh.

28. At Troston, Suffolk, the rev. W. J. L. Casborne, of Pakenham, to Anne, daugh. of the late Capel Lofft, esq. of Troston Hall.

## NOVEMBER.

1. At Tonbridge, the rev. Richard Ramsey Warde, to Mary, eldest daugh. of the late Aretas Akers, esq.

4. At St. George's, Hanover-square, the rev. Francis, third son of sir Thos.

Whichcote, bart. of Aswarby, to Eliza, only daughter of Robert Bree, M. D. F. R. S. of George-st. Hanover-square.

7. The rev. Robert Downs, vicar of Leamington, Warwickshire, to Philadelphia, daughter of the late J. T. H. Hopper, esq. of Witton Castle, Durham.

— At Heathfield, Sussex, the rev. Edward Raynes, of Belmonte, East Hoathly, to Mary, only daughter of the late Edward Fuller, esq. and niece to major Fuller, of Heathfield, Sussex.

8. At Paris, the hon. Ferdinand St. John, to Miss Selina Charlotte Keatinge, niece to the earl of Meath.

11. At Hainton Hall, Lincolnshire, the seat of her father, Frances Anne, eldest daughter of Geo. Rob. Henage, esq. to Edward, only son of the late Edward Howard, esq. nephew of his grace the duke of Norfolk.

— At St. George's, Hanover-square, the rev. Wm. Skinner, of Ingoldsthorpe, Norfolk, second son of sir W. Skinner, of Dublin, bart. to Ann Margaret, second daughter of the late col. Lock, E. I. C.

18. At All Souls, Langham-place, Francis Dugdale Astley, esq. only son of sir John Dugdale Astley, bart. M. P. to Emma Dorothea, fourth daughter of sir Thomas B. Lethbridge, bart. M. P.

21. At Oddington, the rev. George E. Ranken, to Harriet Anne, youngest daughter of the late Stephen George Church, esq. R. N.

23. At the marquis of Ailesbury's villa, at Sheen, Thos. Fred. Vernon Wentworth, esq. of Wentworth Castle, co. York, to lady Augusta Louisa Brudenell Bruce, the eldest unmarried dau. of the marquis of Ailesbury.

30. At Twickenham Church, John, eldest son of John Fane, esq. M. P., to Catherine, daughter of sir Benjamin Hobhouse, bart. of Whitton Park, Middlesex.

## DECEMBER.

2. At Halston, co. Salop, Wm. Henry, only son of lieut.-gen. Williams, to Maria, youngest daughter of the late James Dormer, esq.

6. At St. Giles's-in-the-Fields, the rev. Wm. Start, of Teffont-Evias, Wilts, to Louisa, third daughter of Jn. Gurney, esq. king's counsel.

7. At Bathwick Church, capt. Emery, to Eliz. Mary, only daughter of the late Robert Belt, esq. of Bossal House, Yorkshire.



## MARRIAGES.

7. At Tichfield, Claud Douglas, esq. E. I. C. to Mary-Madelina, second daughter of rear-admiral sir Arch. Colingwood Dickson, bart.

12. At Chichester, Charles-Smith Beckham, esq. to Sybella-Jane-Carr, second daughter of the lord bishop of Chichester.

13. Henry Sacheverel Wilmot, esq. eldest son of sir Robert Wilmot, bart. of Chaddesden, to Maria, eldest dau. ; and the hon. and rev. Frederick Curzon, son of lord Scarsdale, to Augusta-Marian, second daughter of Edw. Miller Mundy, esq. of Shipley Hall, Derbysh.

14. At Chichester, capt. Edw. Sabine, R. A. to Eliz. Juliana, daugh. of major Leeves.

— At All Souls' Church, Langham-place, Robert, eldest son of C. Chichester, esq. of Hall, Devon, to Clarentia, only daughter of the late col. Henry Mason.

16. At Folkestone, Wyndham Knatchbull, D.D. Laudian professor of Arabic in the University of Oxford, and rector of Smeeth with Adlington, in Kent, to Anna Maria Eliz. eldest daughter of Henry Dawkins, esq.

18. At St. Mary-le-bone Church, Henry, third son of Matthew Montagu, esq. of Montagu House, Portman-square, capt. 3rd Guards, to Magdalen, widow of the late Fred. Croft, esq.

— At Walcot Church, Bath, captain Gordon, R. N. to Mrs. John Helyar, dau. of the late sir J. Wrottesley, bart.

23. At St. Pancras New Church, John Stratford Rodney, esq. eldest son of the hon. John Rodney, chief secretary to government, Ceylon, to Eleanor, third daughter of Joseph Hume, esq. of Upper Charlotte-street, Fitzroy-sq.

26. At St. Mary-le-bone Church, John Kerrich, esq. of Goldstone Hall, Norfolk, to Mary-Eleanor, eldest daugh. of John Fitzgerald, esq. M. P. of Wherstead Lodge, Suffolk.

28. At Studley Priory, Oxfordshire, sir Charles Wetherell, his majesty's attorney-general, to Jane-Sarah Eliz. second daughter of sir Alex. Croke.

esq. to be his majesty's consul in the Duchy of Courland, to reside at Riga ; Anthony Lancaster Molineux, esq. to the same office at Georgia, to reside at Savannah ; and George Salkeld, esq. to a similar office at New Orleans.

31. The hon. Robert Gordon to be envoy extraor. and minister plen. to the emperor of Brazil : and Arthur Aston, esq. to be secretary.

10. *War-office*.—18th Foot : major Carmichael to be lieut.-col. of Inf.

29. 20th Foot : lieut.-col. Thomas to be lieut.-col.

31st Foot : lieut.-col. Baumgardt to be lieut.-col.

64th Foot : lieut.-col. Fearon, 31st Foot, to be lieut.-col.

## ECCLESIASTICAL PREFERMENTS.

Rev. Dr. Bull to the archd. of Cornwall.

## FEBRUARY.

## GAZETTE PROMOTIONS.

3. *Whitehall*.—Henry Beard, esq. lieut.-governor of the colony of Berbice. —Wm. Courtenay, esq. to be clerk-assistant of the parliaments, *vice* Henry Cowper, esq. resigned.

10. *War-office*.—32nd reg. of foot to bear on its colours and appointments the words "Roleia," "Viniera," "Pyrennees," and "Orthes," in commemoration of the distinguished services in the Peninsula.

17. 22nd Foot : lieut.-col. R. Place to be lieut.-col. ; major W. R. Clayton to be major.

Unattached : to be majors of Inf. capt. W. F. Forster, 97th foot ; capt. J. Wilson, 98th foot.

18. General sir P. Ross, appointed to the government of Antigua.

21. W. T. Money, esq. to be consul-general at Venice and in the Austrian territories on the Adriatic Seas.

24. Unattached : major Higgins, 13th Light Drag. to be lieut.-col. of Inf. by purch. ; capt. lord Bentinck, 75th Foot, to be major of Inf.

## PROMOTIONS.

## JANUARY.

## GAZETTE PROMOTIONS.

*Whitehall*.—Charles Bankhead, esq. to be secretary to his majesty's legation to the United States.—Thomas Tupper,

## ECCLESIASTICAL PREFERMENTS.

Rev. T. Singleton, archd. of Northumberland.

Rev. C. A. Moysey, preb. of Wells cathedral.

Rev. H. Pepys, preb. of Wells cathedral.



## PROMOTIONS.

## MEMBERS RETURNED TO PARLIAMENT.

*Banbury*.—Hon. A. Legge, *vice* hon. H. Legge.

*Dorset*.—Henry Bankes, esq. *vice* W. Morton Pitt, esq.

*Exeter*.—S. T. Kekewick, esq. *vice* Courtenay.

*Newport* (Cornwall).—Hon. C. Percy, *vice* Northey.

*Tyrone* co.—Hon. H. T. L. Corry.

*Warwick*.—J. Tomes, esq. *vice* Mills.

## MARCH.

## GAZETTE PROMOTIONS.

30. *Whitehall*.—David Cathcart, esq. to be a lord of Justiciary in Scotland, *vice* George Fergusson, esq. resigned.

Richard Fountayne Wilson, of Melton on the Hill, county of York, esq. to use the surname and bear the arms of Montagu only, in compliance with the will of the right hon. F. Montagu, late of Papplewick.

## ECCLESIASTICAL PREFERMENTS.

Rev. A. P. Perceval, chap. in ord. to the king.

Rev. J. Allen, chap. to the earl of Mountnorris.

Rev. A. Foster, chap. to duke of Cambridge.

Rev. J. C. Helme, chap. to earl of Stirling.

Rev. H. J. B. Nicholson, chap. to duke of Clarence.

Rev. G. Taylor, chap. to dowager duchess of Richmond.

Rev. S. S. Wood, chap. to duke of York.

## MEMBERS RETURNED TO PARLIAMENT.

*Corfe Castle*.—Geo. Bankes, esq.

*Devizes*.—Geo. Watson Taylor, esq. of Earlstoke Park, Wilts.

*East Looe*.—Lord visct. Percival.

*Oxford University*.—Tho. Grimstone Bucknall Estcourt, esq.

## APRIL.

## GAZETTE PROMOTIONS.

7. *War-office*.—3rd Foot: major C. W. Wall to be lieut.-col.; brevet, lieut.-col. C. Cameron to be major.

48th Foot: major J. Taylor to be lieut.-col.

93rd Foot: lieut.-col. D. M'Gregor to be lieut.-col.

*Unattached*.—To be lieut.-cols. of Infantry, lieut. and capt. F. Dawkins; major W. R. Clayton, major R. Arnold. To be majors of Infantry: capt. W. Beetham, capt. H. H. Farquharson, capt. hon. G. R. Abercromby, capt. W. Bush, capt. F. Johnson.

22. Lord Forbes to be high commis. to the general assembly of the Church of Scotland.

Mr. Manoel Antonio de Paiva, consul-gen. in London for the emperor of Brazil.

The Duke of Devonshire to be ambassador extraordinary to the emperor of Russia, on his coronation.

George Earl of Pembroke to be governor of the island of Guernsey.

## ECCLESIASTICAL PREFERMENTS.

The right rev. Dr. W. Van Mildert, to the see of Durham.

Rev. E. G. A. Beckwith, to a minor canonry in St. Paul's Cathedral.

Rev. C. H. Pulsford, canon residentiary of Wells cathedral.

Rev. M. Bland to a prebendal stall in Wells cathedral.

Rev. C. R. Sumner, D.D. to the see of Llandaff and deanery of St. Paul's.

Rev. J. Sheepshanks, archd. of Cornwall.

Rev. Archdeacon Pott, chancellorship and prebendal stall of Exeter cathedral.

Rev. Dr. F. W. Blomberg, chap. to the king.

Rev. E. P. Henslow, chap. to lord Hood.

Rev. C. S. Hassels, chaplain to lord St. Vincent.

## MEMBERS RETURNED TO PARLIAMENT.

*Horsham*.—The hon. F. Fox, *vice* sir J. Aubrey, bart. dec.

*St. Michael*.—H. Labouchere, esq. *vice* W. T. Money, esq. who has accepted the office of consul-gen. at Venice.

*Carlton*.—T. Kavanagh, esq. *vice* sir U. B. Burgh, now Baron Downes, a peer of the United Kingdom.

*Roxburgh-sh.*—Henry Fran. Scott, esq.

## MAY.

## GAZETTE PROMOTIONS.

27. Charles lord Strathaven to be one of the lords of his majesty's bed-chamber.

Right hon. William Harry Freemantle to be treasurer of his majesty's household.



## PROMOTIONS.

19. *War-office*.—44th regt. Foot, brevet lieut.-col. F. S. Tidy to be lieut.-col.

*Brevet*.—Aretas Wm. Young, esq. late lieut.-col. on the half-pay of 3rd West-India regt. to have the rank of lieut.-col. in the West-Indies only.

*Unattached*.—Major John Spink, 92nd Foot, to be lieut.-col. of inf.

The under-mentioned officers having brevet rank superior to their regimental commissions, have accepted promotion upon half-pay, according to the general order of the 25th of April, 1826:—To be lieut.-cols. of infantry: Brevet lieut. cols. Colin Campbell, 1st foot, Adam Peebles, 9th, and Robert B. M'Gregor, 88th to be lieut.-cols. of inf.; J. Haverfield, from unattached full pay; J. Hicks, 32nd foot; S. King, 10th; J. Austin, 97th; R. Parke, 39th; J. Macdonald, 64th; J. Dunn, 98th; W. Dunbar, 37th; J. B. Glegg, 49th; G. Miller, Rifle brigade; M. Clifford, 89th foot; A. Kelley, 54th; J. Maxwell, 15th; E. K. Williams, 4th; W. Balvaing, 99th; J. R. Colleton, Royal Staff corps; D. Macdonald, 19th foot.

## JUNE.

## NEW PEERS.

The King has granted the dignity of peers of Great Britain and Ireland to the following persons:—

Marquis of Thomond, to be baron Tadcaster; marquis of Clanricarde, to be baron Somerhill; earl of Balcarras, to be baron Wigan; visc. Northland, to be baron Ranfurly; right hon. sir Charles Long, to be baron Farnborough; sir J. Fleming Leicester, to be baron de Tabley; J. A. S. Wortley Mackenzie, esq. to be baron Wharnccliffe; Charles Duncombe, esq. to be baron Feversham; Charles Rose Ellis, esq. to be baron Seaford.

## GAZETTE PROMOTIONS.

3. *Whitehall*.—Gen. Ward to be governor of Barbadoes; right hon. C. W. W. Wynn, earl Bathurst, the right hon. G. Canning, the right hon. R. Peel, the earl of Liverpool, the chancellor of the Exchequer, the duke of Wellington, the marquis of Salisbury, lord Teignmouth, the right hon. J. Sullivan, the right hon. sir G. Warrender, Dr. Philimore, and W. Y. Peel, esq. to be commissioners for the affairs of India.

5, 6, 7. James Fergusson, esq. advo-

cate, to be one of the six ordinary clerks of Session in Scotland; Chas. Ross, esq. advocate, to be one of the four commissaries of Edinburgh; Hugh Lumsden, esq. advocate, to be sheriff depute of the shire of Sutherland.

Edward Tichborne, of Snarford-hall, county of Lincoln, esq. third, but second surviving, son of sir Henry Tichborne, of Tichborne, county of Southampton, bart. deceased, to take the name of Doughty only, instead of that of Tichborne, and also bear the arms of Doughty quarterly with those of Tichborne (agreeably to the will of the late Miss Doughty, of Bedford-row).

13. The earl of Bristol to be earl of Jermyn of Horningsherth, Suffolk, and marquis of Bristol.

9. *War-office*.—Horse Guards, capt. Hanmer to be major and lieut.-col. by purchase.

1st, or Gren. Foot Guards: lieut.-col. Ellis, from the half-pay, to be capt. and lieut.-col.

29th Foot: lieut.-col. Simpson to be lieut.-col.

64th Foot: to be major, brevet lieut.-col. lord C. Fitzroy, from half-pay 27th foot.

67th Foot: brevet col. Burslem, 14th foot, to be lieut.-col.

84th Foot: brevet col. Neynoe, 4th foot, to be lieut.-col.

88th Foot: major Hailes to be major.

91st Foot: capt. Drewe, 73rd foot, to be major.

94th Foot: to be lieut.-cols. major Crauford, 8th Light Drag. and lieut.-col. Paty.

96th Foot: capt. Cairncross, to be major.

Royal African Colonial corps, major-gen. sir N. Campbell to be col.

*Brevet*.—Brevet major Jackson, of the 6th Drag. Guards, to be lieut.-col. in the army.

*Unattached*.—To be lieut.-cols. of inf. by purchase, brevet lieut.-col. lord Fitzroy, 64th foot; major Bradshaw, 77th; major Mills, 2nd Drag.; major Glover, 1st foot; major Hay, 91st; major Mansel, 96th; major Dobin, 19th; and capt. Cuyler, Coldstream foot guards.

28. *Foreign-office*.—Francis Werry, esq. (late consul of the Levant company at Smyrna), to be his majesty's consul at Smyrna.

John Barker, esq. (late consul of the Levant company at Aleppo), to be his majesty's consul at Alexandria.



PROMOTIONS.

Henry Thomas Liddell, esq. (late assistant secretary to the Levant company), to be his majesty's consul at Gottenburgh.

Wm. Wilton Barker, esq. (vice-consul at Messina), to be consul.

Wm. Hamilton, esq. (vice-consul at Boulogne), to be consul.

James Vigers Harvey, esq. (vice-consul at Bayonne), to be consul.

William Ogilby, esq. (vice-consul at Caen), to be consul for the departments of Calvados La Manche, and Isle of Vilaine.

ECCLESIASTICAL PREFERMENTS.

Rev. W. F. Bayley, prebend. of Canterbury.

Rev. Archd. Ball, prebend. of Canterbury cathedral.

Rev. E. G. Clerk, prebend. of Westminster.

Rev. M. Marsh, canon of Salisbury cathedral.

Rev. S. B. Vinet, Ringwood R. Hants.

Rev. S. H. White, Mawford R. co.

Rev. B. Maddock, chap. to duke of Rutland.

Rev. J. Perkins, chap. to earl Galloway.

Rev. D. Lewis, chap. to marquis of Queensberry.

JULY.

GAZETTE PROMOTIONS.

7. F. Chatfield, esq. to be consul at Memel.

11. Catherine, wife of the right hon. James Fitzgerald, to bear the name, style, and title, of baroness Fitzgerald and Vesey, of Clare and Inchicronan, with the dignity of a baron to descend to the heirs male of her body by the said right hon. J. Fitzgerald.

14. *Whitehall*.—Sir Thos. Lawrence, principal painter to his majesty, and president of the Royal Academy, to wear the royal order of the Legion of Honour which his Most Christian Majesty had conferred on him.

16. Col sir Henry Pynn, knt. late a brig.-gen. in the Portuguese army, to wear the insignia of a knight com. of the royal Portuguese military order of the Tower and Sword, conferred on him by his Most Faithful Majesty John the 6th.

19. Major Henry Willock, E. I. C. late chargé d'affaires to the court of Persia, to wear the Persian order of the Lion and Sun of the first class, with

which his majesty the shah of Persia was pleased to honour him for his services in the field.

AUGUST.

GAZETTE PROMOTIONS.

1. *War-office*.—23rd Foot, lieut.-col. A. Anderson to be major.

30th Foot: brevet lieut.-col. W. Rowan to be major.

82nd Foot: lieut.-col. T. Valiant to be lieut.-col.

Royal African Colonial Corps: major W. Lumley, 54th Foot, to be lieut.-col.; and capt. R. Gregg, to be major.

*Unattached*.—Major G. W. Horton, 81st Foot; and capt. J. B. Riddlesden, Royal Horse Guards, to be lieut.-cols. of Infantry.

Brevet lieut.-col. F. Dalmar, 23rd Foot, to be lieut.-col. of Infantry.

4. Sir Thos. Le Breton, knt. to be bailiff of the Island of Jersey, *vice* lord Carteret, deceased.

11. Lord F. Montague to be post-master-general, *vice* the earl of Chichester, deceased.

20. *War-office*.—Brevet: Col. hon. H. Dillon, to have the rank of major-gen.; A. Peebles, and J. M. A. Skerrett, esqrs. to be lieut.-cols.; and S. Sankey, esq. to be major, on the continent of Europe only.

*Unattached*.—Majors Brander, Pearce, and Leslie, and brevet lieut.-cols. Pringle and Anderson, to be lieut.-cols. of Inf.

SEPTEMBER.

GAZETTE PROMOTIONS.

13. *Whitehall*.—Sir John Singleton Copley, knt. to be master or keeper of the Rolls and Records of the Court of Chancery, *vice* lord Gifford, dec.

18. *War-office*.—Lieut.-gen. hon. sir Alex. Hope, G.C.B. to be lieut.-governor of Chelsea-hospital.

Lieut.-gen. James Hay to be lieut.-governor of Edinburgh castle.

Lieut.-gen. Wm. Thomas, to be lieut.-governor of Tynemouth.

Coldstream reg. of Foot Guards, lieut.-col. Thos. Chaplin, to be lieut.-col.

14th Foot: gen. Thos. lord Lynedoch, G. C. B. from 58th Foot, to be col.

86th Foot: lieut.-col. John W. Mallet, from 89th Foot, to be lieut.-col.

89th Foot: lieut.-col. John M'Caskill, to be lieut.-col.

97th Foot: capt. Alexander Hope Pattison, to be major.



## PROMOTIONS.

*Unattached*.—To be lieut.-cols. of Inf.: major Rich. Cruise, 84th Foot; major James Fleming, 22nd Foot; major Robert Bartlett Coles, 76th Foot; capt. Edw. Clive, 1st, or Gren. Foot Guards; brevet lieut.-col. Philip Wodehouse, 97th Foot.

## ECCLESIASTICAL PREFERMENTS.

Rev. B. Parke, prebendary of Ely.

## OCTOBER.

## GAZETTE PROMOTIONS.

9. *War-office*.—7th reg. of Light Drag.: major James John Fraser to be lieut.-col.—Capt. hon. Geo. Berkeley Molyneux, to be major.

Rifle Brigade: major Jos. Logan, to be major.

*Garrisons*:—gen. W. Knollys to be governor of Limerick.—Col. sir George Elder to be lieut.-gov. of St. John's, Newfoundland.

*Brevet*:—lieut.-col. James Fullarton to be lieut.-col. of Infantry.

12. 1st, or Gren. Guards, lieut.-col. Clive to be lieut.-col.

69th Foot: major sir C. Cuyler, bart. to be lieut.-col.—Major J. Peel to be major.

72nd Foot: lieut.-col. C. G. J. Arbuthnot to be lieut.-col.

*Unattached*.—Brevet lieut.-col. W. G. Moore, and brevet major E. P. Buckley, 1st, or Gren. Guards, to be lieut.-cols. of Inf.

16. 35th reg. capt. G. Teulon to be major.

*Brevet*:—H. Roberts, esq. to have the rank of colonel, and M. M'Pherson, esq. to have the rank of major on the continent of Europe only.

*Unattached*.—Brevet lieut.-col. H. T. Shaw, 35th Foot, to be lieut.-col. of Infantry.

23. *War-office*.—17th Light Dragoons, lieut.-col. Anth. Rumpler to be lieut.-col.

3rd reg. Foot Guards, capt. and lieut.-col. Edw. Bowater to be major, with the rank of colonel. Lieut. and capt. W. Stockdale to be capt. and lieut.-col.

97th reg. of Foot to bear on its colours and appointments, the motto, "Quo fas et gloria ducunt," in addition to the title of "The Earl of Ulster's Regiment."

## ECCLESIASTICAL PREFERMENTS.

Rev. J. Brinkley, D.D. to the bishopric of Cloyne.

Rev. J. Bright, preb. of Combe and Harnham, Salisbury cathedral.

Rev. C. B. Bruce, chaplain to the duke of York.

## NOVEMBER.

## GAZETTE PROMOTIONS.

13. *War-office*.—*Unattached*.—To be lieut.-cols. of Inf. major Dixon Denham, 25th Foot; major John Marshall, 14th Foot; capt. John Elrington, 3rd Foot Guards.

14. Geo. Cranston, esq. to be one of the lords of session of Scotland.

Charles Farebrother, esq. sheriff of London, to be alderman of Lime-street Ward, *vice* Bridges res.

27. *St. James's Palace*.—Lieut.-col. Edw. Miles, 89th Foot, C.B. and knight of the royal Portuguese military order of the Tower and Sword, knighted.

Edw. Ryan, esq. knighted, on his appointment of judge to the Supreme court of Calcutta.

Nicolas Conyngham Tindal, esq. his majesty's solicitor-general, knighted.

Lieut.-gen. John Fraser, col. of the late Royal York Rangers, knighted.

29. *Whitehall*.—The right hon. Geo. Granville Leveson Gower, summoned by writ to the House of Peers, by the style and title of baron Gower, of Stittenham, county of York.

## ECCLESIASTICAL PREFERMENTS.

Rev. R. H. Law to the archd. of Wells.

Rev. J. Davis, chap. to the dowager lady Boston.

Rev. T. H. White, chap. to marq. of Downshire.

## DECEMBER.

## GAZETTE PROMOTIONS.

5. *Whitehall*.—The king has granted the dignities of viscount and earl of Great Britain and Ireland, to Wm. Pitt baron Amherst, gov.-gen. of India, and his heirs male, by the titles of visc. Holmesdale, county of Kent, and earl Amherst, of Arracan, East-Indies. Also, the dignity of viscount of Great Britain and Ireland to Stapleton baron Combermere, general and commander of our forces in the East-Indies, and his heirs male, by the title of visc. Combermere, of Combermere, Cheshire.

Alex. Irving, esq. to be a lord of session in Scotland.



## PROMOTIONS.

26. Major-gen. sir A. Campbell, to be G. C. B.

Major-gen. Thos. Reynell, major-gen. Jasper Nicolls, major-gen. sir Sam. Ford Whittingham, knt. to be K. C. B.

The undermentioned officers to be K. B.—Col. John M'Combe, 14th foot; col. Willoughby Cotton, 47th foot; lieutenant-col. Geo. M'Gregor, 59th foot; lieutenant-col. R. George Elrington, 47th foot; lieutenant-col. John W. Mallett, 86th foot; lieutenant-col. Wm. Smelt, 41st foot; lieutenant-col. Michael Childers, 11 Drag.; lieutenant-col. John Wm. O'Donaghue, 47th foot; lieutenant-col. Henry Godwin, 41st foot; lieutenant-col. hon. John Finch half-pay. Unattached; lieutenant-col. Robt. H. Sale, 13th foot; capt. Henry Ducie Chads, R. N.; capt. Fred. Marryatt, R. N.; lieutenant-col. Wm. Frith, 38th foot; lieutenant-col. Francis Fuller, 59th foot; lieutenant-col. Matthias Everard, 14th foot; lieutenant-col. Cecil Bishopp, 14th foot; major Jas. L. Basden, 89th foot; major Peter L. Chambers, 41st foot; major Geo. Thornhill, 13th foot; major Wm. H. Dennie, 13th foot; commander Geo. F. Ryves, R.N.

The undermentioned officers in the E.I.C. to be K.B.—Lieut.-col. Stevenson; lieutenant-col. Wm. Richards; lieutenant-col. James Brodie; lieutenant-col. Thos. Whitehead; lieutenant-col. Alex. Fair; lieutenant-col. Clements Browne; lieutenant-col. Edw. W. Snow; lieutenant-col. Christ. S. Fagan; lieutenant-col. Alfred Richards; lieutenant-col. Steph. Nation; lieutenant-col. Brook B. Parlby; lieutenant-col. Chas. Hopkinson; lieutenant-col. John Delamain; lieutenant-col. Tho. Wilson; lieutenant-col. Geo. Pollock; lieutenant-col. Henry S. Pepper; lieutenant-col. Wm. C. Baddeley; lieutenant-col. Jas. Wahab, lieutenant-col. Jas. Skinner; major Cornelius Bowyer; major Richard L. Evans; major Wm. L. Watson; major Geo. Hunter.

29. The duke of Wellington to be constable of the Tower of London, and lieutenant and custos rotulorum of the Tower Hamlets, *vice* marquess of Hastings, dec.

— *Foreign-office*.—Patrick Campbell, esq. to be secretary to his majesty's legation to the republic of Colombia.

Richard Pakenham, esq. to be secretary to his majesty's legation to the United States of Mexico.

C. Hall, esq. to be secretary to his majesty's legation to the Confederate States of the Swiss Cantons.

11. *War-office*.—17th Drag., major

George lord Bingham to be lieutenant-colonel.

3rd regt. Foot Guards: lieutenant-col. John Elrington to be capt. and lieutenant-col. 20th regt. foot.

*Staff*: Brevet lieutenant-col Henry Geo. Smith, to be deputy quarter-master-gen. to the forces serving in Jamaica; major Thos. Drake, permanent assist.-quarter-master-gen., to be deputy quarter-master-gen. to the forces serving in the Mediterranean, with the rank of lieutenant-col. in the army; major W. Vincent, 82nd foot, to be permanent assistant quarter-master-gen.

*Unattached*.—To be lieutenant-col. of Inf. major John Hogg, 24th foot; major Holman Custance, 50th; major Edw. Jackson, 20th; brevet lieutenant-col. hon. John Finch, 38th; major H. J. Richardson, 9th Light Drag. Royal Art., major Robert H. Birch, to be lieutenant-col.

*Staff*: Major C. Yorke, to be inspecting field officer of Militia in Nova Scotia (with the rank of lieutenant-col. in the army).

*Unattached*.—To be lieutenant-cols. of Inf. major J. H. Mair, 7th foot; major J. T. Morisset, 48th; major H. Stisted, 1st Drag.; major sir J. R. Eustace, 14th foot.

23. 3rd reg. Foot Guards, lieutenant and capt. hon. Edward Stopford to be capt. and lieutenant-col.

27th Foot: lieutenant-gen. hon. sir Galbraith Lowry Cole, G. C. B. to be colonel, *vice* marquis of Hastings, dec.

34th Foot: lieutenant-gen. sir Thos. Macdougall Brisbane, K.C.B. to be colonel.

16. *St. James's*.—Joseph Fuller, esq. lieutenant-gen., col. 96th foot, and knight grand cross of the royal Hanoverian Guelphic order, knighted.

22. Major-gen. the hon. F. C. Cavenish, to be lieutenant-governor of Malta and its dependencies.

*Unattached*.—Major hon. Edw. Cust, 20th foot, to be lieutenant-col. of Inf.

To be majors of Inf. capt. Robert Carlisle Pollock, 90th foot; capt. Aubrey Wm. Beauclerk, 99th Foot.

28. 84th reg. of foot, to bear on its colours and appointments the word "India," in commemoration of its services in that part of the world from the year 1796 to 1819.

1st reg. foot, 2nd bat. 13th ditto, 38th, 41st, 44th, 45th, 47th, 54th, 87th, and 89th, to bear the word "Ava," in commemoration of their services during the late Burmese war.



## DEATHS.—DEC. 1825.

11th rég. Light Drag., 16th ditto, 14th rég. of foot, 59th ditto, to bear the word "Bhurtpore," in commemoration of their services in the assault and capture of the fortified town and citadel of Bhurtpore, in Jan. 1826.

*Brevet*: Major J. J. Snodgrass, to be lieut.-col. in the army.

Rich. Byham, esq. to be secretary to the Board of Ordnance, *vice* W. Griffin, esq.

## ECCLESIASTICAL PREFERMENTS.

Rev. W. Davison, Hartingdon Deanery, county of Derby.

## MEMBERS RETURNED TO PARLIAMENT.

*Cambridge Univ.*—Sir J. S. Copley, knight.

*Lostwithiel.*—The hon. Edw. Cust, *vice* sir Alex. Cray Grant, bart. who has made his election for the borough of Aldborough.

*Saltash.*—Major-gen. Colin Macauley, *vice* Henry Monteith, esq. steward of East Hundred.

## DEATHS.

## DECEMBER, 1825.

5. Antoine Alexandre Barbier, chevalier of the Legion of Honour, and librarian to the Conseil d'Etat. This eminent bibliographer was born at Coulommiers, Jan. 11th, 1765, and educated at the seminaire St. Firmin, Paris, where he afterwards taught mathematics and the physical sciences. It was at this latter period that his passion for the study of bibliography and literary history developed itself. In 1799 he was appointed Conservateur of the Library of the Directory, and in 1800 of that of the Conseil d'Etat, of which, after three years' labour, he published an excellent catalogue. In 1806 appeared the two first volumes of his "Dictionnaire des Ouvrages Anonymes et Pseudonymes." After filling for twenty-seven years his office as librarian, and discharging all its duties, not only with devoted zeal, but with enthusiasm, he was removed from that post in Sept. 1822. Although he bore this misfortune with philosophy, and apparent tranquillity, it was a shock from which he never recovered; and, from this period, his health gradually declined.

Besides his "Dictionnaire," and several catalogues, M. Barbier published "Nouvelle Bibliothèque d'un Homme de Gout," 5 vols. 8vo. Paris, 1808-10. "Examen Critique et Complement des Dictionnaires Historiques," 8vo. 1820; many bibliographical articles in the "Dictionnaire Historique." He likewise edited a variety of works, and left several manuscripts.

7. Benedetto Delbene, perpetual secretary of the Academy of Agriculture, Commerce, and Arts, Verona. This indefatigable and zealous student was born May 29th, 1749, and devoted the whole of his long life to the cultivation of the sciences and literature; but agriculture more particularly occupied his attention. His Memoir relative to a new process of making wine; and his Dissertation on the culture of oleaginous plants, which he proposed to introduce into Italy, obtained for him a prize from the Academy of Verona. That, too, of the "Georgofili," at Florence, presented him with a gold medal for having discussed the best method of providing abundance of wood, and the inconveniences resulting to agriculture from its excess. As a translator he is known by his version of the Georgics, of some of Horace's Epistles, Catullus' Nuptials of Peleus and Thetis, &c. He likewise wrote a Dissertation on the Origin of the Amphitheatre at Verona. In his private character Delbene was most exemplary; a man of the strictest religious principles, the purest morals, and universal philanthropy.

26. At St. Petersburg, count M. A. Miloradovitch. This distinguished officer, of whose death some account will be found in the History of our last volume, p. 162, was descended from a very illustrious Russian family. In the reign of Peter the Great, one of his ancestors signalised himself by his patriotism, having raised a force of 20,000 men at his own expense, to assist that monarch in his war against the Turks. The count was born in 1770, and, at the age of 28, held a command under Suvarov during the campaign in Italy, where his bravery and military skill soon obtained for him the admiration and regard of that hero. In the actions at Bassignano, Lodi, &c. he distinguished himself by his intrepidity, and was always foremost to lead on the troops; nor did he display less energy in the battle of Muthenthal, so memorable for the defeat of the



## DEATHS.—JAN.

French arms in Switzerland, under Massena. In 1806, in the war against the Turks, Bucharest owed its safety to the valour of Miloradovitch, and the splendid victory gained at Obileshti, over the Grand Vizier, gained him fresh laurels, and obtained for him a sword set with brilliants, as a mark of the emperor's esteem. Soon afterwards, he retired from the army, and, in 1810, was appointed Military Governor at Kiev. The events of the year 1812 again called him to the defence of his country. At Borodino he commanded the right wing of the Russian army, and when the French were advancing with the utmost precipitation towards Moscow, intercepted and detained them by a combat of two entire days. He demanded from Murat time for the inhabitants of that capital to quit the city, threatening, in case of a refusal, to set fire to it himself, and to fight before it to the last extremity. This menace had its desired effect. At Vazny he obtained successes against Ney, Davoust, and Murat, whom he there completely routed. On this occasion, 15,000 of the French troops fell in the engagement, and 22,000 were taken prisoners. When the enemy had been driven beyond the Russian frontier, Miloradovitch still continued to display his talents in the whole of the memorable contests between the allied powers and France. Lutzen, Dresden, Bautzen, Kulm, and Leipzig, successively witnessed his successes, till at length the victorious armies entered Paris. From this period he was appointed governor of St. Petersburg, which has at various times experienced his zeal and services, especially after the inundation. He restored and embellished Ekaterinhof, and renovated the house belonging to Peter the Great. He was also a warm lover of the fine arts, and especially of the theatre. Miloradovitch was buried within the convent of St. Alexander Nevsky, on the 2nd of Jan. 1826, when his remains were followed to the grave by the Emperor, and were deposited near those of the great Suvarov, with every mark of honour.

— Aged 68, J. Pregliasco, an artist of great celebrity in Italy as a theatrical architect, scene-painter, and landscape gardener, in each of which departments he displayed originality and correct taste. Among his principal works may

be mentioned, the park of the princess Carignano; the repairs and alterations of the Theatre la Canobiana at Milan; most of the scenery for the mythological ballets of Vigano and Gioja; the restoration of the great Theatre at Naples, and of that at Monza; besides several theatres and gardens in Piedmont.

## JANUARY, 1826.

1. At Glasgow, aged 32, Mr. John Bell, teacher of languages. He was acquainted with the Latin, Greek, Hebrew, French, German, Spanish, Italian, Dutch, Saxon, Teutonic, Gothic, Icelandic, Portuguese, Arabic, Persic, Chaldaic, Sanscrit, Hindostanee, Bengalee, and several other languages.

— At his residence, Burton Bradstock, Dorset, Nicholas Ingram, esq. superannuated rear-admiral of the red. He was made a lieut. by adm. Byron, in 1778, and appointed to the Royal Oak, bearing the flag of rear-admiral Hyde Parker, who promoted him to the rank of commander in 1780, from which period, until the peace of 1783, he commanded the Star brig. His next appointment was, in Oct. 1790, to the Shark sloop of war, and on the 3rd of the following month he became post captain. From 1797 to the peace of Amiens, and from the renewal of the war in 1803 to the date of his superannuation as rear-admiral (May 21, 1808), he commanded the Weymouth district of Sea Fencibles. He married in 1811 Elizabeth-Anne, daugh. of the late Mr. Booth of Bristol.

— At Marston House, aged 27, Edm. Wm. visc. Dungarvon, eldest son of Edmund, 8th earl of Cork and Orrery, by Isabella Henrietta, 3rd daugh. of the late William Poyntz, esq. of Midgham House, Berks. His last surviving brother, Charles, born in 1800, is now heir apparent to his father's titles.

2. The hon. Wm. Bachelor Coltman, late chairman of the board of audit at Quebec, and a member of the executive and legislative councils of Lower Canada.

3. At Marseilles, aged 54, Louis Gabriel Suchet, duke of Albufera. Having received a good education, he entered the army in 1792. At Toulon, he was an officer in the battalion by which general O'Hara was taken prisoner. He was in nearly all the battles fought in Italy during the campaigns of 1794,



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1795, and 1797, and was thrice wounded, once dangerously. In the last of these campaigns, Buonaparte made him *chêf de brigade* on the field of battle. In 1798, having borne a distinguished part in the campaign against the Swiss, he was sent to Paris with twenty-three standards taken from the enemy, and was then made general of brigade. He was about to proceed with the expedition to Egypt, when he was suddenly ordered to join the army of Italy. But from Italy, in consequence of a quarrel with the commissioners of the Directory, Suchet was compelled to return hastily to France to vindicate his conduct. He was afterwards sent to the army of the Danube, at the head of which he exerted himself in defending the country of the Grisons. Joubert, his friend, having been intrusted with the command of the army of Italy, Suchet joined him as general of division and chief of his staff; appointments which he continued to hold under Moreau and Championnet, after the death of Joubert. Massena, who succeeded Championnet, made him second in command. At the head of a feeble division of not 7,000 men, he long held at bay five times the number of Austrian forces under Melas, contested the Genoese territory inch by inch; retired unbroken behind the Var, set the enemy at defiance, saved the south of France from invasion, and facilitated the operations of the army of reserve, which was advancing from Dijon to cross the Alps. When, in consequence of the march of Buonaparte, the Austrians commenced their retreat, he followed in their track, harassed them incessantly, took 15,000 prisoners, and, by compelling Melas to weaken his army, to oppose him, contributed powerfully to the victory of Marengo. In the short campaign subsequently to the armistice, he took 4,000 prisoners at Pozzolo, and shared in the battles that were fought. In 1803, he commanded a corps at the camp at Boulogne. He was made a member of the Legion of Honour, Dec. 11, 1803, grand officer of that body in 1804; and governor of the imperial palace at Lacken in 1805. At Ulm, Hollabrun, and Austerlitz in 1805; at Saalfeld and Jena in 1806; and at Pultusk in 1807, he greatly contributed to the success of the French arms. In 1806, Buonaparte gave him the grand cordon of the Legion of Ho-

nour, with an endowment of 20,000 francs; and in 1808, he raised him to the dignity of a count of the empire. The king of Saxony also nominated him a commander of the military order of St. Henry. Suchet was then sent to Spain, and placed at the head of the army of Arragon. In 1809, he defeated Blake at Belchite; in 1810 he reduced Lerida, Mequinenza, Tortosa, Fort San Felipe, Monserrat, Tarragona, and Saguntum; routed O'Donnel at Margalef, and Blake before Saguntum, and formed the siege of Valencia. The fall of that fortress finished the labours of this campaign, and obtained for him the title of duke of Albufera, and the estate of that name. He had previously, at the capture of Tarragona, received a marshal's staff. In 1813, the command of the united armies of Arragon and Catalonia having been confided to him, he compelled sir John Murray to raise the siege of Tarragona. In November he was named colonel-general of the Imperial Guards, in the room of the duke of Istria. Notwithstanding the progress of lord Wellington in France, Suchet kept his ground in Catalonia, for the purpose of collecting the 18,000 men who garrisoned the fortresses, and also for retarding the progress of the Allies. Receiving intelligence of the abdication of Buonaparte, he acknowledged Louis 18th as his sovereign. Several honours, amongst which was that of his being named one of the peers of France, were conferred on him by the restored monarch. On the return of Buonaparte, he accepted a command under his old master, to repel the Allies. At the head of the army of the Alps, consisting only of 10,000 men, he beat the Piedmontese, and shortly after the Austrians. The advance of the grand Austrian army, however, 100,000 strong, compelled him to fall back on Lyons, but he saved that city from plunder by capitulation, and with it artillery stores to the value of half a million sterling. On the same day that the capitulation was signed, he again submitted to Louis 18th. He received the grand cross of the Legion of Honour in 1816, and in 1819 his name was replaced on the list of peers. For some time previous to his decease the duke of Albufera resided principally at Marseilles. He had been afflicted nearly two years with a severe and painful disorder. In the few mo-



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ments during the last four days of his life in which he was sensible, he made his will, in full possession of his faculties. In the evening of the 2nd of Jan. having recovered from a state of delirium, he confessed, and received the extreme unction. The remainder of the night he was calm and composed; but, after seven in the morning of the 3rd, he did not again become sensible. The duchess left Marseilles for Paris with her children two or three days after his decease.

5. At Farlinghay Hall, near Woodbridge, aged 80, Mary, relict of major William Webb. She was eldest daughter of sir Atwell Lake, second baronet, of Edmonton, Middlesex, by Mary, only daughter of James Winter, esq. of Mile End; and was sister to the late, and aunt to the present baronets.

6. At his house in Howland-street, aged 60, Mr. John Farey. He was born at Woburn, in 1766; and received a common village education there, but at the age of sixteen was sent to school at Halifax, Yorkshire, where he so pleased his master, that he gratuitously instructed him in mathematics and philosophy. He also studied drawing and surveying, and was recommended to the notice of the celebrated Mr. Smeaton. Mr. Farey had the good fortune to become known to the late duke of Bedford, and to acquire the confidence of that nobleman, who in 1792 appointed him to the agency of his Bedfordshire estates. Mr. Farey, in consequence, went to reside at Woburn, and continued there till the death of his patron in 1802. In 1809 and 1810 Mr. Farey made a survey of Derbyshire for the board of agriculture; and his report, printed in two volumes, 1811-1813, contains a statement of the principles which he followed in mineral surveying. He availed himself of every opportunity of augmenting his knowledge of the strata throughout Britain, and collected innumerable specimens to establish their identity in different places. A great part of his time was spent in collecting his observations, and in forming maps and sections from them, to determine the order and position of the strata in every place which he visited. He intended to publish the results, but their completion was prevented by the attack of apoplexy which terminated his useful life. He married early, and had a numerous family.

7. At Liverpool, aged 70, sir Wm. Barton, knt. one of the oldest merchants of that port, head of the firm of Barton, Irlam, and Higginson. He had the honour of knighthood conferred on him May 9, 1816, on presenting, as mayor of Liverpool, an address of congratulation to the regent, on the marriage of the princess Charlotte of Wales.

— At the house of her son, Dr. Davis, in the Royal Crescent, Bath, aged 80, the relict of Robert Davis, esq. of Woolley Hill, near Bradford, Wilts.

8. In Everett-street, Russell-square, aged 42, capt. Charles Adams, R.N. He entered the navy in the year 1796, as midshipman. A few months before he had completed his sixth year in that capacity, he particularly distinguished himself in the *Jalousie*, commanded by capt. Strachey, by whom he was employed to cut out some vessels in Calais Harbour, in achieving which he received a ball in the thigh, which lamed him for life. His conduct was reported in such strong terms of approbation to the Admiralty, that he was ordered to attend as soon as possible to pass for lieutenant. The admiralty board evinced their confidence in him, by keeping him constantly employed in the sea fencibles, signal posts, and guard-ships. At length, after being 18 years a lieutenant, and 24 in his majesty's service, he was made commander in Feb. 1824.

— At Moscow, count Rostopchin. He was descended from an ancient Russian family. Entering the army very young, he was a lieutenant in the imperial guards at the age of twenty-one, when he left Russia to make the tour of Europe. At Berlin he was distinguished by count Michael Romanzov, the Russian ambassador at the Prussian court. During the early part of the reign of the emperor Paul, his advancement was rapid and brilliant. He was decorated with the grand order of Russia; and, with his father (living at the age of eighty-one, on his own estate, at the time of the memorable campaign of 1812), was raised to the dignity of count. Soon afterwards, however, from some unknown cause, both father and son fell into disgrace, and received an order to retire to their estates, on which they lived, as cultivators of the soil, till the death of Paul. The young count obtained the favour of the emperor Alexander, and was appointed to the



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government of Moscow. On the 14th of September, 1812, the French entered that city; and on the same day the Russians, according to the 20th French bulletin of the campaign, set fire to various public edifices of that ancient capital. Buonaparte accused count Rostopchin of the act. Certain it is that the count had set fire to his fine country house at Vorozonof, leaving the following placard conspicuously posted near the mansion:—"During eight years I have sought to embellish this country residence, where I have lived happily with my family. The inhabitants of this estate, to the number of 1720, abandon it at your approach; and I destroy my house that it may not be sullied by your presence. Frenchmen! I abandon to you my two houses at Moscow. Here you shall find nothing but ashes." The count remained governor of Moscow till the month of September 1814, when he resigned the command, and accompanied his sovereign to Vienna. In the year 1817 he went to Paris, and during his stay in that capital he gave the hand of his daughter to the grandson of the count de Segur. His manners and conversation were as polished as those of the most accomplished courtier in Europe.

9. In Upper Charlotte-street, in his 64th year, Dr. Edward Fryer. Distinguished ability, various and extensive knowledge, strict probity, and unsullied honour, united with the most prompt, ardent, independent, and generous feelings, adorned by the most engaging and gentlemanly manners, combined to render him beloved and admired by all who knew him.

10. In her 79th year, Elizabeth, relict of the rev. Hugh Laurents, formerly of Kingston, rector of Grafton Flyford, Worcestershire.

— At Richmond, Surrey, sir David Dundas, first baronet, of Richmond, and of Llanelly, county of Carmarthen, and serjeant surgeon to the king. Sir David derived his descent from the ancient family of Dundas, of that ilk. He was the third son of Ralph Dundas, of Manour, by Helen, daughter of sir Thos. Burnet, physician to king Charles the second, king William, and queen Anne. He married Isabella, daughter of William Robertson, of Richmond, esq. by whom he had issue, 1. William, died an infant; 2. William, born Dec. 10, 1777, who has succeeded to the title; 3. Geo-

Ralph, died young; 4. Mary; 5. James-Fullarton, captain in the Bengall artillery; 6. Elizabeth; 7. Margaret; 8. Isabella; 9. John-Burnet, midshipman R.N.; and 10. Edward, who died an infant.

11. At Doncaster, aged 84, the widow of gen. Sowerby.

— At his house, Rathmines, major James Allen, late of the 5th dragoons, formerly port surveyor of Drogheda, a magistrate of the county of Kildare, and late treasurer of the ordnance. He entered the military service of his country at so early an age as to have held the rank of lieutenant in 1755.

13. At Undersyde Park, Roxburghshire, aged 70, Geo. Waldie, esq. of Hendersyde, and of Forth-house, Newcastle-upon-Tyne.

16. At Guy's Cliff, near Warwick, aged 66, after a few days illness, Bertie Greathead, esq. son of Samuel Greathead, esq. by lady Mary Bertie, daughter of Peregrine, second duke of Ancaster. This gentleman, from an early age, was distinguished for his taste in literature. At Florence, in 1785, he was a member of a well-known coterie, consisting of Mr. Parsons, Mrs. Piozzi, the chevalier Pindemonte (since styled "the Italian Gray"), lady Millar, Mr. Merry, &c., who jointly produced the Florence Miscellany, and were subsequently exposed to much mortification by falling under the lash of Mr. Gifford's powerful and unsparing satire, in his "Baviad and Mæviad." In 1788, Mr. Greathead produced a tragedy, entitled, "The Regent." It was brought out at Drury-lane theatre, supported by the powers of John Kemble and Mrs. Siddons; but the circumstances of the time were against its full success. Its very title proved injurious: it appeared during the illness of the late king, when party politics ran high, and the public mind was much agitated by discussions respecting the regency. The play, though not of the highest order, was favourably received. Mr. Greathead's affection for the drama was not extinguished by the lapse of years; even up to a recent period, Mrs. Siddons, who had been, at a very early period of her life, an attendant upon his mother, was a frequent and ever-welcome guest at his seat at Guy's Cliff. Mr. Greathead had one son, Bertie, who died at Vicenza, in Italy, Oct. 8, 1804, aged 23. Mr. Greathead jun. possessed distinguished talents as



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a gentleman artist. He had married in France, and he left one daughter, married on the 20th March, 1823, to lord Charles Percy, son of the earl of Beverley. Mr. Greathead was, in his political principles, an ardent and consistent friend of civil and religious freedom; but, although repeatedly solicited to represent his county town in Parliament, he invariably declined the honour. In 1819, Mr. Greathead derived a large accession of fortune, on the unexpected death of the hon. Brownlow-Charles Colyear, only son of the viscount Milsington (now earl of Portmore), and grandson and only descendant of Brownlow, fifth and last duke of Ancaster. This young nobleman died at Rome, in consequence of wounds received in an encounter with banditti.

16. In Ireland, aged 26, after a few days severe illness, Rose-Lambart, eldest son of sir Rose Price, first baronet of Trengwainton, Cornwall, by Elizabeth, youngest daughter of Charles Lambart, of Bean Park, county of Meath, esq. and sister to the late countess Talbot. Mr. Price married Jan. 26, 1824, Catherine, widow of the late earl of Dysart, the eldest daugh. of Maurice N. O'Connor, esq. Mr. Price was the author of a poem entitled "Ireland."

— At his residence, Holdgate, near York, aged 80, Lindley Murray, esq. the author of the English Grammar, and of other works on education. Mr. Murray was a native of Pennsylvania, in N. America; but he resided for a great part of his life at New York, where his father was a distinguished merchant. He was carefully and regularly educated, and made a rapid progress in learning. At the age of 19 he commenced the study of law, under the auspices of a gentleman eminent in the profession; and he had for his fellow student the celebrated Mr. Jay. At the expiration of four years Mr. Murray was admitted to the bar, and received a licence to practise both as counsel and attorney, in all the courts of the state of New York. In this profession he continued with increasing reputation and success, till the troubles in America interrupted all business of this nature. He then engaged in mercantile affairs, in which by his diligence, abilities, and respectable connexions, he soon acquired a handsome competency. Having been afflicted with a fever, which left a great weakness in his limbs, and his general

health being much impaired, he was induced in the year 1784, by the advice of his physicians and friends, to remove into a more temperate climate. He accordingly came to this country, accompanied by his wife; and though not restored to his former health and strength, he received so much benefit as to be induced to remain in England. He settled in Yorkshire; and purchased a house pleasantly situated at Holdgate, a small village about a mile from the city of York, where he continued to reside. The weakness of his limbs gradually increased; so that he soon found himself incapable of walking more than a few steps in the course of the day, without great inconvenience. He was, however, able to ride in his carriage an hour or two every day. In summer he was frequently drawn about his garden in a chair made for that purpose. For many years previous to his decease, he was wholly confined to his house; for he found that even a very small degree of bodily exertion increased the debility of his frame; and that exposure to the air occasioned frequent and severe colds, together with other indisposition. Deprived of the usual occupations and amusements of life, he turned his attention to compose literary works, for the benefit of the rising generation. In this occupation he found great satisfaction, and met with uncommon success. The first work which he published, was "The Power of Religion on the Mind." His "English Grammar, with the Exercises and the Key;" his "French and English Reader;" his "Abridgment of his Grammar;" and his "Spelling-Book," have all received very high encomiums. Having begun his literary career from disinterested motives, he constantly devoted all the profits of his publications to charitable and benevolent purposes.

17. Miss Frances Clare Bower, formerly of Stockport, and late of Buxton, one of the daughters and co-heiresses of the late Buckley Bower, esq. of Aspinshaw, in the county of Derby.

— At Campsall Grange, near Doncaster, in his 58th year, John Foljambe, esq. late of Wakefield.

— At Worcester, aged 70, Richard Jones, esq. father of Mr. R. Jones, of Covent-garden Theatre. Mr. Jones was an eminent architect and surveyor, and the author of that useful work, "The Builders' Vade-Mecum."



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19. At his house in Bruton-street, Wm. Northey, esq. of Box-hall in Wiltshire, for nearly 30 years M.P. for Newport in Cornwall. He was son of Wm. Northey, esq. of Ivy-house, Wilts, a groom of his majesty's bedchamber, and successively member for Calne, Maidstone, and Great Bedwin. The deceased sat for Newport in six parliaments, having been first elected in 1796. He voted generally with the Opposition. During the war he commanded the Box Volunteer Infantry, amounting to 80 rank and file.

— At Lymington, in his 76th year, Charles St. Barbe, esq. universally respected by the town and neighbourhood. For the last forty years, he had been the principal proprietor of the salt works there; and in 1788 he established the first banking business in the town.

23. At Woolwich, Samuel Rimmington, esq. lieutenant-general of the Royal Artillery.

25. In Portman-square, the countess dowager of Harcourt, relict of the late George Simon, earl of Harcourt, and sister of the present lord Vernon. Her remains were interred at Stanton Harcourt.

26. At Shibden Hall, aged 77, James Lister, esq.

27. At Haslewood Hall, Yorkshire, advanced in age, sir Thomas Vavasor, seventh baronet, of that place. He was the second son of sir Walter, the fifth baronet, by his second wife, Dorothy, eldest daughter of Marmaduke, fourth baron Langdale of Holme. Sir Thomas succeeded his brother sir Walter, the late baronet, Nov. 3, 1802.

28. At Belle Vue, near Dublin, after a long and painful illness, the right hon. Bridget, countess of Egmont. She was the only daughter of lieutenant-col. Glynn Wynn, M. P. for Carnarvon, and uncle to the present lord Newborough, by Bridget, eldest daughter of Edward Philip Pugh, esq. of Penryn. She was married to John Perceval, present and fourth earl of Egmont, March 10, 1792, and had issue by him, John James, lord Perceval.

— In Portland-place, Marianne, wife of John Vivian, esq. of Claverton, county of Somerset.

29. In Manchester-square, aged 71, Charles Mills, esq. M. P. for Warwick.

30. Edward Mawley, esq. surveyor to the commissioners appointed for the

building of churches. He was proceeding in his gig with his wife to his own residence on Balham-hill, when the shafts broke, and precipitated him on the ground; his skull was severely fractured, and he died in a few days.

30. The venerable Reynold Gideon Bowyer, archdeacon of Northumberland, prebendary of Durham, rect. of Howick, and vicar of North Allerton, with the chapelries of Brompton and Dighton, all in the county of Durham. He was of Jesus College, Cambridge, LL. B. 1769, was appointed prebendary of Durham in 1791, was presented to Allerton by the dean and chapter, in 1814, and to Howick by the bishop. He published "A Sermon preached before the Delivery of the Colours to the Durham Volunteer Infantry, 1803," 4to. "Comparative View of the two new Systems of Education for the Infant Poor, in a Charge delivered to the Clergy of Durham, 1811," 8vo.

31. At Marseilles, aged 80, Lantier, author of "*Voyages d'Antenor dans la Grèce.*"

Lately, in Russia, of the infirmities of age, count Nicholas Romanzov, chancellor of the empire, and a great patron of the sciences and of literature in that country. He was a son of the field-marshal Peter Romanzov, celebrated for his important victories over the Turks. In the post of minister of commerce, he actively promoted the success of the emperor Alexander's great plans for the improvement of the internal and foreign trade of Russia, and greatly contributed to the raising of Odessa into importance, and to the improvement and enriching of its neighbouring coasts. Under him the administrations of the public concerns of that district were confided to the duke de Richelieu, afterwards prime minister of France. In September 1807, he was made minister of foreign affairs and minister of war. After repeated and earnest solicitations, the count obtained leave, in the month of August 1814, to resign his ministerial functions. No Russian nobleman ever made a nobler use of riches. Patriotic and scientific undertakings were supported by him with princely liberality. It was at his expense that Otto Von Kotzebue performed his voyage round the world; and most of the expeditions and voyages of discovery, undertaken by the Russian government, originated with him. His



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tory is indebted to him for a Russian Codex Diplomaticus, published at Moscow since 1813. In 1817 and 1818 he made several journies to collect manuscripts and other documents connected with the history of his country, which he studied with extraordinary zeal and success; and during his residence in the Crimea, he collected many ancient medals and coins. The count's estate at Homel, in the Ukraine, was a model worthy of the attention of all agriculturists, for the activity and judgment with which every branch of rural economy was carried on.

## FEBRUARY.

1. At Gosforth House, near Newcastle-upon-Tyne, Charles-John Brandling, esq. M. P. for Northumberland. He was descended from an ancient family in that county, and was the eldest son of Charles Brandling, esq. an eminent banker in Newcastle, and M. P. for that town in three parliaments, from 1784 to 1797. On his father accepting the Chiltern Hundreds in the latter year, the son succeeded in the representation of Newcastle, and was returned at the four next general elections. In 1812 he retired, but, at the general election in 1820, was chosen for Northumberland. He seldom spoke in the House. Mr. Brandling married Frances-Elizabeth, daughter of William Hawksworth, of Hawksworth, co. York, esq. but had no children.

2. At Paris, De Marchangy, author of "*La Gaule Poétique*," "*Tristan*," a romance, and other literary and historical productions, in his 42nd year.

— William Scott, esq. late lieutenant-col. of the Royal Artillery, in which he became first lieutenant Jan. 1, 1794; capt.-lieut. July 16, 1799; captain, Sept. 12, 1803; brevet major, June 4, 1811; and lieutenant-col. Dec. 30, 1814.

3. At Hampstead, Mrs. Mary Belson, daughter of the late Richard Belson, esq. merchant, formerly of that place, and niece of the late John Bindley, esq. M. P. for Dover, and James Bindley, esq. A. M. and F. S. A. fifty years commissioner of the Stamp Office.

4. At Bath, aged 63, the lady of sir Thomas Whichcote, bart. of Aswarby, co. Lincoln, and third daughter of Edm. Turnor, esq. of Panton House, leaving issue five sons and three daughters.

4. Aged 71, sir Robert Baker, first baronet, of Upper Dunstable House, Surrey. He was the third son of John Baker, M. D. of Richmond, Surrey, fourth son of James Baker, esq. of Buckland, Somersetshire. His mother was Sarah, daughter and co-heiress of Robert Wood, LL.D. and niece of Thos. Wood, esq. of Littleton, Middlesex. Sir Robert was created a baronet May 11, 1796. He married, in 1783, Diana, daughter and sole heiress of George Hayley, esq. alderman and M. P. for London. She died in March, 1805, having borne him four sons and four daughters.

6. At his house, Hyde-park corner, sir Edmund Antrobus, bart. He was the fourth son of Wm. Antrobus, esq. and was created a baronet on the 22nd of May, 1815.

7. At Gainford, near Darlington, in her 77th year, Mrs. Cradock, wife of Marmaduke Cradock, esq. and granddaughter and only descendant of the late sir John Tyrwhitt, bart. of Stanfield Hall, Lincolnshire.

10. Aged 73, Alicia Maria, countess dowager of Carnarvon. She was the eldest daughter of Charles, second earl of Egremont, and sister to Geo. O'Bryen, the present earl. Her mother was Alicia-Maria, daughter of George, second lord Carpenter, and sister to George, earl of Tyrconnel. She was married July 15, 1771, and had issue the present earl of Carnarvon, five other sons, and a daughter, now lady Ducie.

— In Wimpole-street, the relict of W. Shaw, esq. of Inglewood House, Berks.

— In Doctors' Commons, aged 73, Maurice Swabey, esq. D.C.L. of Langley Marsh, Bucks.

11. At Worcester, the celebrated English vocalist, Charles Incledon. He was born in Cornwall, the son of a respectable medical gentleman. Displaying an early taste for music, he was, at the age of eight years, placed in the choir of Exeter cathedral, under the care of Jackson, the celebrated composer. There he remained six or seven years, when a truant disposition induced him, in 1779, to enter on board the *Formidable*, man-of-war, of 98 guns, under the command of captain (since rear-admiral) Cleland. On the West-India station he changed his ship, and served on board the *Raisonable*, of 64 guns, then commanded by lord Hervey, where his vocal powers



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and sprightliness of character endeared him to the officers and men. In this ship he attracted the notice of admiral Pigot, commander of the fleet, who frequently sent for Incledon, to sing catches and glees. He returned to England in 1783, when admiral Pigot, lord Mulgrave, and lord Hervey, gave him letters of recommendation to Mr. Sheridan and the late Mr. Colman; the manager, however, was blind to his merits, and Incledon being determined to try his talents on the stage, joined Collins's company at Southampton, where his first theatrical essay was as Alphonso, in the *Castle of Andalusia*. There he continued upwards of a year, when he was engaged at Bath, where he attracted much of the public attention, and obtained the patronage of Rauzzini, who not only took him under his tuition, but introduced him in his concerts. He was a great favourite at the Noblemen's Catch Club, which he assisted in establishing; and Dr. Harrington, the eminent physician, was his particular friend. Having again applied in vain at the London theatres, he accepted an engagement at Vauxhall; but in the ensuing winter (October, 1790), he made his first appearance at Covent Garden, as Dermot, in the *Poor Soldier*, with so much success as to obtain a permanent engagement, on liberal terms. For many seasons Incledon sung with great éclat at the Lent Oratorios; he frequently visited Ireland, and subsequently to the termination of his regular engagements at the London theatres, he crossed the Atlantic, and made a vocal tour through great part of the United States, though, it is said, without any solid pecuniary advantage. Of late years, somewhat neglected, perhaps, for newer favourites in the metropolis, his engagements were chiefly of a provincial nature. Styling himself "The Wandering Melodist," he was accustomed to give vocal entertainments of his own, which were generally received with great favour. He was occupied in the arrangement of one of these plans at Worcester, when, about the commencement of the present year, he was suddenly seized with a paralytic affection, which, in the course of a few weeks, led to the termination of his existence. He had been married three times; and he has a son engaged in agricultural pursuits, now, or recently, living in the neighbourhood of Bury

St. Edmund's, Suffolk. Incledon, though a convivial, was by no means an improvident man. Before his second union he settled all his fortune, the result of his professional exertions for many years, on the children of the first marriage; nor was he wanting in industry to create a new fortune. Incledon's voice was of extraordinary power, both in the natural and falsetto. The former, from A to G, a compass of about fourteen notes, was full and open, neither partaking of the reed nor the string, and sent forth without the smallest artifice; and such was its ductility, that when he sung *pianissimo* it retained its original ductility. His falsetto, which he could use from D to E or F, or about ten notes, was rich, sweet, and brilliant. He excelled in the pure and energetic English ballad, such as "Black-eyed Susan," "The Storm," and the hunting-song.

12. In Camden-row, Peckham, aged nearly 82, Mr. Deodatus Bye, formerly an eminent printer in St John's-square, Clerkenwell. He was, with only one exception, the oldest member of the Company of Stationers, of which he had been a liveryman 60 years.

13. At Milan, the ecclesiastic, Ottavio Morali, one of the librarians of the Brera, in his 63rd year. Italian literature is indebted to him for one of the most correct and complete editions of the *Orlando Furioso* ever published, and which procured him the honour of being elected into the *Accademia della Crusca*. He likewise edited several other Italian classics, particularly Galileo, and, at the time of his death, had nearly completed a Greek and Italian Lexicon, for the use of public schools.

14. In his 88th year, the rev. George Wollaston, D.D. for some time father of the Royal Society, and 62 years member of the Society for the Propagation of the Gospel. He was the youngest son of Francis Wollaston, esq. of Charterhouse square, grandson of Mr. Wollaston, the learned author of "The Religion of Nature delineated," and brother-in-law of the late celebrated Dr. Heberden, author of "Commentaries on the History and Cure of Diseases." Dr. Wollaston was educated at the Charterhouse, and afterwards at Sidney College, Cambridge, where, in 1758, he took a very distinguished degree of B.A., being second wrangler of that year, and proceeded M.A. 1761; D.D. 1774. Such



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was the high character he sustained, that he was chosen mathematical lecturer; and, while at Cambridge, he was also engaged in editing Newton's "Principia," in which he was assisted by Dr. John Jebb and Mr. Thorp. He was contemporary in the University with Gray, Twining, and Dr. Farmer, and with Dr. Paley, bishop Porteus, bishop Hallifax, and bishop Watson, with all of whom he was intimate. He was presented to the rectory of Stratford, Suffolk, in 1754, and to the rectory of Dengey, in Essex, in Dec. 1762. On his resignation of the living of Stratford, he was collated, in March, 1774, by the archbishop of Canterbury, to the rectory of St. Mary Aldermary, with St. Thomas the Apostle, in the City of London. And it would be injustice to his memory not to notice, that he resigned both these livings several years ago, from motives the most benevolent and disinterested. Dr. Wollaston married Elizabeth, the eldest daughter of Charles Palmer, esq. of Thurnscoe Hall, co. York, by whom he had one daughter, married to the rev. James Cowe, M.A. vicar of Sunbury, Middlesex.

15. Died at sea, on board the *Carn Brea Castle*, on the passage from Calcutta, colonel Joseph Wanton Morrison, C.B. of his majesty's 44th. reg. of Infantry, late Brigadier-general commanding the south-eastern division of the army acting against the Burmese. This distinguished officer was born at New York, May 4, 1783, and was the only son of John Morrison, esq. at that time deputy commissary general in America. He entered the army in 1793 as an ensign in the 83rd reg., and was promoted to a lieutenancy in the 84th reg. in 1794. In 1799, being appointed to the 17th reg., he served with the second battalion during the campaign in Holland, and was severely wounded at the close of the action of the 2nd October. In 1800 he obtained a company in the same regiment, with which he served in the Mediterranean till the peace of 1802, when, having purchased a majority, he was placed on half-pay. In 1804 he was appointed an inspecting field officer of Yeomanry on the staff in Ireland; and, in 1805, exchanged to the 89th reg. and served with the second battalion till 1809, when he was promoted to a lieut.-colonelcy in the 1st West-India reg., which he immediately joined at Trinidad. In

1811, he was removed to his former regiment, the 89th, and the following year embarked with the second battalion for Halifax. In the Spring of 1813, the battalion proceeded to Upper Canada; and in Nov., of that year, col. Morrison was entrusted with the command of a corps of observation to follow the movements of the American army under maj.-gen. Wilkinson, who, descending the river St. Lawrence, and having landed on the Canadian territory, below fort Wellington a division under brig.-gen. Boyd, amounting to between 3,000 and 4,000 men, was on the 11th defeated by the corps of observation at Chrystler's farm, Williamsburgh. After the action, the Americans retired to their own shores. On this occasion col. Morrison was honoured with a medal. He likewise received a vote of thanks from the House of Assembly of Lower Canada, and was presented with a sword by the merchants of Liverpool. In July 1814, during the engagement at Lundy's Lane, near the Falls of Niagara, he was severely wounded, and in 1815 he returned with his battalion to England. Being unable, from the state of his wounds, in 1816, to join the first battalion of the regiment, then in India, he was placed on half-pay. On the 12th of Aug., 1819, he received the brevet of colonel. It was not until the beginning of the year 1821, that his wounds were sufficiently healed to permit his return to the duties of active service, when he was immediately appointed lieut.-col. of the 44th reg., at that time quartered in Ireland. In June, 1822, he embarked with his regiment for India, and arrived at Calcutta in Nov. following. In July, 1823, the regiment was sent up the country to Dinapore, from whence it returned to Calcutta in 1824; and, in July of that year, col. Morrison was appointed to the command of the south-eastern division of the army, with the local rank of Brigadier-general. The difficulties, which the army had to encounter on its march towards Arracan, commenced soon after quitting Chittagong, and were of a nature to be surmounted only by the consummate skill of the commander, and the steadiness, bravery, and patience of the troops under hardships and privations. At length, after having undergone severe and almost incessant fatigue for several months, an opportunity occurred to bring the Burmese to action, and



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after three days' continued fighting, the British army entered victorious into Arracan. No sooner, however, was this conquest achieved, than the rainy season set in; and it was necessary to make immediate provision for the cantonment of the troops. This was no easy task; for the city being situate in a marsh, surrounded on three sides with stupendous hills, was a most unhealthy spot for Europeans. After long contending against the influence of the climate, gen. Morrison found his constitution so much impaired, that he was compelled to resign his command, and return to Calcutta, where he soon after embarked for England, in the hope that the sea voyage might contribute to the restoration of his health. This hope was disappointed; and he expired, soothed by the attentions of a wife and sister, to whom he had ever been tenderly attached.

17. At his seat at Kelham, aged 73, John Manners Sutton, esq. eldest surviving son of the late lord George Manners Sutton, and grandson of John, the third duke of Rutland, K.G. who, while Master of the Horse, in the year 1765, appointed him page of honour to his late majesty king George the 3rd, by whom he was presented to an ensigncy in the Coldstream reg. of Foot-guards, of which he became afterwards a lieutenant-colonel. He was, upon his father's demise, on Jan. 21, 1783, elected M. P. for Newark, which he continued to represent till the dissolution in 1796.

18. In Upper George-street, Portman-square, Mary, relict of John Bulley, esq. of Reading, and daughter of the late rear-adm. Toll, of Fareham.

— In Upper Grosvenor-street, Mrs. Iremonger, sister of the rev. Lascelles Iremonger, preb. of Winchester.

19. At Earl's-court, Brompton, aged 83, George Baldwin, esq. many years Consul-general in Egypt.

21. At his house in Great Queen-street, Lincoln's-inn-fields, after a severe illness of several months, aged 52, Edward Knight. This clever comic actor was born at Birmingham, in 1774, and was intended by his friends for an artist; but having, at an early period, a penchant for the stage, on the death of the person to whom he was articled, made his first appearance at Newcastle-under-Line, as Hob, in the farce of Hob in the Well; but so astounding was

his reception, that it quite disconcerted him; and, unable to go on with the character, he ran off the stage, and it was performed by another. His ardour was for some time checked by this mishap, and he resumed the pencil for another year; but the ruling passion was strong. He ventured in a more obscure place, Raither, in North Wales, again played Hob, and was successful. After strolling about some time, he was engaged by Mr. Nunns, of the Stafford company. In that town he married a daughter of Mr. Clewes, a wine-merchant. His next step to fame was owing merely to the whim of some merrily disposed wag, who was willing to raise a laugh at his expense. One night at Uttoxeter, after having raved through the parts of Arno, Silvester Daggerwood, and Lingo, he was agreeably surprised by a note requesting his attendance at the inn adjoining the theatre, and intimating that he would receive information for the improvement of his theatrical pursuits. Every thing, of course, was neglected for this important interview. He flew to the inn on the wings of speed, and was immediately shown into a room, where he was very cordially received by an unknown, but grave-looking gentleman, whose inflexible steadiness of face could not give the least suspicion of a jest. After the usual compliments of that day, the stranger very politely assured him that he had received much pleasure from his performances, and was determined to put him into a situation where his talents might be shown to advantage. Mr. Knight stammered forth his gratitude, and had all ears open for the reception of this important benefit. The stranger proceeded to inform him, that his name was Phillips, and that he was well known to Mr. Tate Wilkinson, the manager of the York Theatre. "Now, Sir," he added, "you have only to make use of my name, which I fully authorise you to do, and you may rely upon being well received. Say that I have seen you on the stage, and declared my satisfaction at your performance." Mr. Knight, of course, expressed in the most lively terms his sense of this important obligation. The next morning he wrote a very polite letter to Mr. Wilkinson, making the tender of his services, and not in the least doubting their acceptance, for the name of his new ally formed the most prominent feature in



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the letter. In a short time, a very laconic epistle came from the York manager, that at once overthrew his splendid expectations. It was to this effect:—"Sir; I am not acquainted with any Mr. Phillips, except a rigid Quaker, and he is the last man in the world to recommend an actor to my theatre. I don't want you. TATE WILKINSON."—This was a mortifying repulse. In the bitterness of his anger he wrote a second letter to the manager:—"Sir; I should as soon think of applying to a methodist parson to preach for my benefit, as to a Quaker to recommend me to Mr. Wilkinson. I don't want to come. E. KNIGHT."—This letter was too much in Mr. Wilkinson's own peculiar style to meet with an unfavourable reception; nothing, however, resulted from it at the time. A whole year rolled on with the Stafford company, at the end of which Mr. Knight was agreeably surprised by a second letter from his former correspondent. In brevity and elegance it was not inferior to the former epistle, but the matter of it sounded much more sweetly to his ears. "Mr. Methodist Parson, I have a living that produces twenty-five shillings per week. Will you hold forth? TATE WILKINSON."—This sudden change was owing to the secession of Matthews, who had been engaged at the Hay-market; and the manager, anxious to supply the loss of so useful a performer, engaged Knight some months before Mr. Matthews went to London. At this time, however, Mr. Knight's happiness received a severe blow from the loss of a beloved wife, who died at the early age of 24; and left him burthened with the care of a family. He had been married five years. About a twelve-month after, he was united (in 1807), to Miss Susan Smith, sister of Mrs. Bartley, and the then heroine of the York stage. At York seven years passed away without any other material occurrence, when he received proposals from Mr. Wroughton, at that time stage-manager of Drury-lane, which were eagerly accepted. On the destruction of Drury-lane theatre by fire, many of the principal performers considered themselves as released from their treaties, and embarked in other adventures. Mr. Knight was one of the few that had abilities to profit by this opportunity. On October 14, 1809, he made his first appearance at the Lyceum as Timothy Quaint, in

"The Soldier's Daughter," and Robin Rough-head in "Fortune's Frolic." He was equally successful in Jerry Blossom, Sim, Spado, Trip, &c., and continued a favourite, till illness compelled him to retire. His powers as a comic actor were considerable. There was a certain droll play about every muscle in his face, that fully prepared the audience for the jest that was to follow. His Sim, in "Wild Oats" was one of his best performances. On the evening of Feb. 17, 1816, when performing with Miss Kelly, in the farce of "Modern Antiques," a maniac, named Barnett, fired a pistol at the lady, which nearly proved fatal to the gentleman. In private life, Mr. Knight's manners were domestic and regular. He disliked convivial parties; but he possessed much kindness and benevolence of heart.

23. At Englefield-green, aged 66, Eliz. Harriet, dow. visc. Bulkeley. She was the only daughter and heir of the late sir Geo. Warren, K.B.; was married, April 26, 1777, to Tho. Jas. Warren Bulkeley, seventh viscount Bulkeley in Ireland, and first baron Bulkeley in England, on whose death, in 1822, those titles became extinct, they never having had any issue.

— At Knightsbridge, lieutenant-col. the hon. Arthur-John-Hill-Fitzgerald de Roos, Assist. Mil. Sec. and aide-de-camp to the duke of York, commander-in-chief. He was the second son of lord Henry Fitzgerald, third son of James, first duke of Leinster, and Charlotte Fitzgerald de Roos. He entered the army as ensign, 1st Foot-guards, Dec. 20, 1809, was promoted lieutenant and captain Oct. 21, 1813, captain 1st Drag. June 27, 1816; brev.-major May 8, 1817; captain 22nd Drag. Oct. 16, 1817; and lieutenant-col. in the army, in 1821.

— At Paris, aged 54, Fabier Pillet, a popular dramatic writer.

25. At his house in George-street, Hanover-square, in his 88th year, the right hon. Hugh Carleton, first viscount Carleton of Clare, baron Carleton of Anner, a privy counsellor in Ireland, D.C.L. His lordship having left no issue, his titles are extinct. This is the twenty-ninth Irish peerage which has become extinct since the Union in 1801. Hugh viscount Carleton was the eldest son of Francis Carleton, esq. of Cork, by Rebecca, daughter of John Lanton, esq. He was born Sept. 11, 1739, ap-



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pointed Solicitor-general in 1779, lord chief justice of the Common Pleas in 1787, raised to the peerage in Nov. 1789, by the title of baron Carleton of Anner, and advanced to the dignity of viscount Carleton of Clare, county Tipperary, Nov. 7, 1797. He resigned his office of lord chief justice in 1800, and in the same year was elected one of the twenty-eight representative peers of Ireland; a vacancy consequently occurs by his decease. His lordship married first Aug. 2, 1766, Elizabeth, only dau. of Richard Mercer, esq. who died May 27, 1794, without issue; and, secondly, July 15, 1795, Mary Buckley, second daughter of Andrew Matthew, esq. who died March 13, 1810, also without issue.

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1. Horace, third son of the hon. Thos. Ridout, of York, Upper Canada.

— At Carlsruhe, where he was born Nov. 9th, 1766, Frederick Weinbrenner, architect of the theatre in that city, and author of a Treatise on the Construction of Theatres, "Architectonisches Lehrbuch," &c.

3. At his seat, Merville, near Dublin, in his 75th year, the right hon. William Downes, first baron Downes, of Aghanville, King's county, a privy counsellor in Ireland, vice-chancellor of Dublin university, a bencher of the hon. society of King's Inns, and LL.D. His lordship was son of Robert Downes, esq. of Donnybrook, by Elizabeth, daughter of Thomas Twigge, esq. of the same place; and grandson of the right rev. Dive Downes, bishop of Cork and Ross. He was educated to the study of the law, and was called to the bar in June 1776; was raised to the bench in March 1792, and appointed lord chief justice of the King's-bench, and one of the privy council in Ireland, on the death of lord Kilwarden, in 1803. In 1806, on the resignation of lord Redesdale, he was nominated vice-chancellor of the university of Dublin, by the duke of Cumberland, the chancellor. He retired from the office of chief justice, Feb. 21, 1822, with a pension of 3,800*l.* per annum, and was created baron Downes by patent, dated Dec. 10, that year, with remainder to his cousin lieut.-col. sir Ulysses Burgh, K.C.B. K.T.S. surveyor general of the Ordnance, &c. who is grandson of the deceased lord's aunt,

Anne, daughter of the bishop, and who has accordingly become baron lord Downes.

3. At Netherton Hall, sir John Wilmot Prideaux, bart. He succeeded his grandfather sir John, in Aug. 1766, and has left issue two sons. The family is of great antiquity in Devonshire and Cornwall, and the first ancestor who came to England was seised of Prideaux castle in Cornwall at the Norman conquest.

4. In Portman-square the hon. Mrs. Bucknall.

5. At Warsaw, Abbé Dubrowsky, professor of Mathematics in that university, and author of several works.

— At Douglas, aged 55, lieut.-gen. William Stapleton, brother of the present lord Le Despencer. He was the second son of sir Thomas Stapleton, second baronet of Gray's Court, Oxford; by Mary, daughter of Henry Fane, esq. of Wormsley, in that county; and married in Dublin, in 1790, Anna-Maria, eldest daughter of the hon. and right rev. Frederick Keppel, bishop of Exeter, and grand-daughter of William-Anne, second earl of Albemarle, by whom he had two sons; captain John-Horace-Thomas Stapleton, who married, June 2, 1814, the hon. Georgiana-Maria Fitzroy, eldest daughter of George-Ferdinand, second lord Southampton; and William-Francis, who died at Hinckley, March 5, 1809.

6. The hon. col. John Lindsay, seventh son of James, fifth earl of Balcarras, by Anne, daughter of sir Robert Dalrymple of Castleton, and brother to the late, and uncle to the present earl. He married, Dec. 2, 1800, Charlotte North, youngest daughter of Frederick, third earl of Guilford.

— At his seat, Redgrave Hall, Suffolk, having two days before completed his 70th year, George Wilson, esq. admiral of the Red, son of the late hon. Thomas Wilson, chief judge of Dominica; nephew and heir of the late Rowland Holt, esq. M. P. for Suffolk for 21 years; and grandson of lord chief justice Holt. Admiral Wilson went at a very early age midshipman under the late lord St. Vincent, then capt. Jervis. He never had a master's or commander's commission, but was a junior lieutenant under lord Howe, in the Victory, when his lordship sailed for the relief of Gibraltar, and was made at once, in Feb. 1780, a post-captain, into a 64 Spanish



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man of war, which his lordship took, and named the Prince William, in compliment to the duke of Clarence, then a midshipman with admiral Digby, under his lordship's command. In Jan. 1782, he commanded the Eurydice of 28 guns, attached to the squadron under sir Sam. Hood, when that officer was attacked at the anchorage at Basse Terre, in the island of St. Christopher's, by the count de Grasse. The Eurydice was one of the four frigates that covered the landing of the British troops after the repulse of the French fleet, and was afterwards present in the actions of April 9 and 12, when the count de Grasse was defeated and taken prisoner by sir George Rodney. Immediately after that event, capt. Wilson was appointed to the command of the Fame, of 74 guns, and ordered to cruize off Hispaniola, with sir Samuel Hood, to watch the beaten enemy's motions. He continued in the same ship on the Leeward Island station until after the conclusion of the American war. During the Spanish and Russian armaments, in 1790 and 1791, captain Wilson commanded the Inconstant of 36 guns, and so much esteemed was he by the sailors, that he manned that frigate in 24 hours; but in consequence of the settlement of the disputes with the Courts of Madrid and St. Petersburg, it was put out of commission in the autumn of the latter year. In 1793, when the war began with France, our officer was appointed to the Bellona of 74 guns, and for some time served in the Channel fleet under earl Howe. On the 13th of Oct. 1794, he sailed from Plymouth for the West Indies, in company with vice-admiral Caldwell, and arrived at Martinique Sept. 14. Being on a cruize off the island of Deseada, in company with the Alarm frigate, Jan. 5, 1795, he fell in with a fleet of French transports, escorted by two frigates and three armed ships, one of which, the Duras, of 20 guns and 70 men, having on board 400 troops, was taken. In the course of the same month, the Bellona captured La Duquesne, French frigate of 44 guns. Several of the enemy's privateers likewise fell into captain Wilson's hands during his stay on that occasion. Previously to his return to Europe, our officer assisted at the reduction of Trinidad by the forces under rear-admiral Harvey, and lieut.-gen. sir Ralph Abercromby; and was also present at the

unsuccessful attack made upon Porto Rico by the same commanders. On his arrival in England about the latter end of 1797, he was again ordered to join the Channel fleet, in which service he continued until his advancement to the rank of rear-admiral, Feb. 14, 1799. The dates of his subsequent promotions are, vice-admiral, April 23, 1804; and admiral, Oct. 25, 1809. He married, Aug. 2, 1801, Catherine, daughter of John Pollard, esq. of Ewell, Surrey.

6. At Paris, C. P. Landon, painter to the duke of Berry, and superintendant of the pictures of the Museum. To the labours of this indefatigable artist we are indebted for several graphic works of great interest and beauty, forming altogether, outline copies of some hundreds of paintings, both of the old and modern masters; viz. "*Annales du Musée*," (commenced in 1801), 17 vols; continuation to ditto, 16 vols. "*Vies et Œuvres des Peintres*," 20 vols, 4to; "*Amours de Psyche et Cupidon, d'après Raphael*," folio, 32 plates; "*Galerie des Hommes les plus célèbres*," 12 vols. portraits; "*Choix de Biographie*," 2 vols. 144 portraits; "*Atlas du Musée*." He likewise published in conjunction with Legrand, "*Description de Paris et ses Edifices*," 2 vols, 8vo. 1806. As a painter Landon possessed considerable talent, and many of his productions have attracted much notice. He has left a son, who is a clever architect, and who was appointed architectural draftsman to the duc d'Angoulême.

7. At Sierra Leone, after an illness of four days, major-general sir Charles Turner, C. B. captain-general and governor-in-chief of that colony, and colonel of the Royal African Colonial corps. He had been making a visit to the Sherbro' country for the purpose of destroying some fresh germinations of the slave-trade; he returned on a Friday, became unwell, and died on the Tuesday following. Major-general Turner entered the army an ensign in the 2nd Foot, Oct. 21, 1795; and was made lieutenant in the same corps, Oct. 18, 1797. While serving in Ireland in that capacity, he took the notorious Napper Tandy prisoner, and refusing to accept the reward offered for his capture, was presented by government, June 8, 1803, with a company in the Royal African corps. He obtained a majority in the Royal West India Rangers, April 18, 1804; and the lieut.-colonelcy of that



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regiment, May 28, 1807. In 1812 he lost an arm at the siege of Badajoz ; and he retired on half-pay, Dec. 25, 1818. He attained the rank of colonel in the army, June 4, 1814 ; and that of major-general, July 19, 1821. In 1824 he was again tempted into service, and was appointed, June 24, to succeed sir Charles M'Carthy as captain-general and governor-in-chief of our African possessions ; succeeding, as of course, to the colonelcy of the Royal African Colonial corps.

10. At Lisbon, aged 60, John the Fourth, king of the united kingdom of Portugal, Brazil, and Algarve, knight of the Garter. His majesty had been attacked on the 4th with an apoplectic fit, together with epilepsy. On the 5th and 6th his malady increased to such a degree, as to create the greatest alarm for his life. After the crisis of the 6th, his majesty experienced no new attack till the 9th, when his malady returned with augmented violence. He expired on the 10th, at six, p. m. His majesty, John Maria Joseph Lewis, was born May 13, 1767, the son of Maria Frances Isabella, reigning queen of Portugal, by her paternal uncle, don Pedro (brother of her father king Joseph). He married, Jan. 9, 1790, Charlotte Joaquina, daughter of Charles the 4th, king of Spain, and sister to Ferdinand the 7th the present king of that country ; by whom he had issue : 1. Maria Theresa, born April 29, 1793, widow of the infant don Pedro Carlos of Spain ; 2. a son, styled prince of Beira, born 1795 ; 3. Isabella Maria, born May 19, 1797, married Sept. 29, 1816, to her maternal uncle Ferdinand, the present king of Spain ; 4. Pedro d'Alcantara, born Oct. 12, 1798, proclaimed in 1822 constitutional emperor of Brazil ; 5. Maria-Francescina, born April 22, 1800, married Sept. 29, 1816, to her cousin don Carlos Isidor, the present infant of Spain ; 6. Isabella-Maria, born July 4, 1801 ; 7. Michael, born Oct. 26, 1802 ; 8. a princess, born Feb. 23, 1803 ; 9. Maria-Anne, born July 25, 1805. From 1792 his majesty governed in the character of regent, in the name of the queen his mother, who was affected with mental alienation. He succeeded her, March 20, 1816, and was crowned at Rio Janeiro, to which place he had retired on the invasion of Portugal by Buonaparte, who, in the hope of seizing

his person, lost no time in proclaiming that the house of Braganza had ceased to reign.

10. At Paris, aged 67, John Pinkerton, esq. F. S. A. Perth. Mr. Pinkerton claimed descent from an ancient family seated at Pinkerton near Dunbar. His grandfather was Walter, a worthy and honest yeoman at Dalserf, who had a numerous family. James Pinkerton, a son of Walter, settled in Somersetshire, where having acquired a moderate property as a dealer in hair (an article, as wigs were generally worn, then much in request), he returned to his native country about 1755, and married Mrs. Bowie, the widow of a respectable merchant at Edinburgh, who brought him an increase of fortune, and three children. James, the eldest, joined the army as a volunteer, and was slain at the battle of Minden. His brother Robert succeeded to an estate in Lanarkshire, left by their father. John Pinkerton, the youngest son, was born in Edinburgh, Feb. 17, 1758. After acquiring the rudiments of education, at a small school, kept by an old woman at Grange-gate Side, near that city, he was, in 1764, removed to the grammar school at Lanark, kept by Mr. Thomson, who married the sister of the poet of that name. At school, he was generally the second or third of his class ; but nothing remarkable distinguished this period, except one incident ; Mr. Thomson one day ordered the boys to translate a part of Livy into English ; when he came to young Pinkerton's version, he read it silently to himself, then, to the great surprise of the boys, walked quickly out of the school, but soon returned with a volume of Hooke's Roman History, in which the same part of Livy was translated. He read both aloud, and gave his decided opinion in favour of his scholar's translation. After being six years at school, the last year of which only was dedicated to the Greek, he returned to the house of his family near Edinburgh. His father having a dislike to university education, John was kept in a kind of solitary confinement at home ; and, this parent being of a severe and morose disposition, his duration tended little to give firmness to his nerves. An hour or two passed every day in attending a French teacher ; and, in his eagerness to attain this language, he had totally lost his Greek, and nearly his Latin also : but soon after, meeting



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with Rollin's Ancient History, and observing references to the original authors, he bought the History of Justinus, &c. and soon recovered his Latin, so as to write, when he was about thirteen years of age, with tolerable accuracy in that language. He afterwards studied mathematics two or three years, under Mr. Ewing, an able teacher at Edinburgh, and proceeded as far as the doctrine of infinites. Intended for the profession of the law, young Pinkerton was articled to Mr. William Aytoun, an eminent writer to the signet, with whom he served a clerkship of five years. He did not, however, neglect the cultivation of his mind, and having felt the witchery of verse by reading Beattie's Minstrel, and other poems, he wrote an elegy, called "Craigmillar Castle," which he dedicated to Dr. Beattie. This production, which was published in 1776, was followed by the composition of one or two tragedies, which were never printed. In 1780, soon after the expiration of his clerkship (his father being then dead), he visited London, where the size and extent of the booksellers' catalogues are said to have formed his sole motive for wishing to fix his residence. This determination was confirmed by the bankruptcy of some merchants in Glasgow, who held about 1,000*l.* of his father's money, all which was lost. He accordingly went to Scotland in the spring of 1781, took up the remaining sums lying in mercantile hands, and, returning to England, settled in the neighbourhood of London in the winter of that year. In 1781, Mr. Pinkerton published, "Rimes," as he peculiarly chose to designate some minor poems; and "Hardyknute, an Heroic Ballad, now first published complete [a Second Part being added]; with the other more approved Scottish Ballads, and some not hitherto made public, in the Tragic style. To which are prefixed, Two Dissertations: 1. On the Oral Tradition of Poetry. 2. On the Tragic Ballad, small 8vo." From his boyish days, Mr. Pinkerton had been fond of collecting medals, minerals, and other curiosities; and having received from a lady in Scotland a rare coin of Constantine, on his Sarmatian Victory, he soon laid the foundation of a little collection, and used to read Addison's Dialogues on Medals with infinite delight. These pursuits led him to see the defects of common books on the

subject, and he drew up a manual and tables for his own use, which afterwards grew to the excellent and complete "Essay on Medals," the first edition of which was published by Dodsley, in two 8vo. volumes, 1784. He was materially assisted in its completion by the late Mr. Southgate of the British Museum, and Mr. Douce. The third and last edition was edited by Mr. Harwood. In 1785 Mr. Pinkerton surprised the literary world with a very extraordinary performance, entitled, "Letters of Literature" under the assumed name of Robert Heron. In this work he deprecated the ancient authors, in a manner which called forth the indignation of the poet Cowper; and criticised the best of the moderns, with an air of assurance that could not have been warranted even by the most confirmed character for taste, learning, and judgment. He had also the vanity to recommend a new system of orthography, more fantastical and absurd, if possible, than that which his countryman, Mr. Elphinstone, endeavoured with so much zeal to introduce. This book obtained for Mr. P. an introduction to Horace Walpole, through whom he became acquainted with Gibbon the historian, who recommended him to the booksellers as a fit person to translate the "English Monkish Historians," a work which, had the proposal met with encouragement, might have tended to a more generally diffused knowledge of the history of the middle ages. On the death of his patron, the earl of Orford, Mr. Pinkerton sold a collection of his lordship's remarks, witticisms, and letters, to the proprietors of the Monthly Magazine, in which miscellany they appeared periodically, under the title of Walpoliana. They were afterwards reprinted in two small volumes, with a portrait of the gifted nobleman. In 1786 he published two 8vo. vols. entitled, "Ancient Scottish Poems, never before in Print; but now published from the [pretended] Manuscript Collections of Sir Richard Maitland, of Lethington, Knight, Lord Privy Seal of Scotland, and a Senator of the College of Justice. Comprizing Pieces written from about 1420 till 1586. With large Notes, and a Glossary." The manuscripts were feigned to have been discovered in the Pepysian Library at Cambridge. In 1787 Mr. Pinkerton published in 2 vols. 12mo., under the feigned name of H.



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Bennet, M. A., "The Treasury of Wit; being a methodical Selection of about Twelve Hundred of the best Apothegms and Jests; from books in several Languages,"—a compilation pronounced to be much superior to most of the kind. It was accompanied by many just and pertinent observations, in a discourse on wit and humour, considered under the four different heads;—Serious Wit, Comic Wit, Serious Humour, and Comic Humour. The same year produced in one volume, 8vo. his well-known "Dissertation on the Origin and Progress of the Scythians or Goths, being an Introduction to the Ancient and Modern History of Europe." He seriously believed that the Irish, the Scotch Highlanders, and the Welsh, the Bretons, and the Spanish Biscayans, are the only surviving descendants of the original population of Europe, and that in them, their features, their manners, their history, every philosophic eye may trace the unimproved and unimprovable savage, the Celt. He maintained in every company that he was ready to drop his theory altogether the moment any one could point out to him a single person of intellectual eminence sprung from an unadulterated line of Celtic ancestry. If you mentioned Burke, "What," said he, "a descendant of De Bourg? class that high Norman chivalry with the riff-raff of O's and Mac's? Show me a great O, and I am done." He delighted to prove that the Scotch Highlanders had never had but a few great captains—such as Montrose, Dundee, the first duke of Argyle—and these were all Goths;—the two first, Lowlanders; the last a Norman, a *de Campo bello*! The aversion he had for the Celtic name extended itself to every person and every thing that had any connection with the Celtic countries. In 1789 he published in 8vo. a collection of ancient Latin Lives of the Scottish Saints, a work which greatly tended to illustrate the early history of his native country. This was soon after followed by a new and greatly enlarged edition of his "Essay on Medals," which has become the standard work for information on that interesting and useful subject. In the same fruitful year he published an edition of "The Bruce, or the History of Robert, King of Scotland, written in Scottish verse, by John Barbour," 3 vols. 8vo. In 1790 this prolific writer again put forth some of his nu-

mismatic researches, in "The Medallic History of England to the Revolution," 4to.; and published "An Inquiry into the History of Scotland, preceding the reign of Malcolm III. or 1056; including the authentic History of that Period," 2 vols. 8vo. (republished in 1795) with some additional observations, containing replies to the various reviews, &c. In 1792 he edited three octavo volumes of "Scottish Poems, reprinted from scarce editions." In 1793 Mr. Pinkerton married Miss Burgess, of Odiham, Hants, sister to the present bishop of Salisbury; but the union was not happy, and the parties separated. The lady has been dead some years. His next important literary labours were in biography, he contributing the lives to "Iconographia Scotica, or Portraits of Illustrious Persons of Scotland, with biographical notes," 2 vols. 8vo. 1795-1797; and to the "Scottish Gallery, or Portraits of Eminent Persons of Scotland, with their Characters," 8vo. 1799. His talents were then directed to geography, and they produced a standard work in this branch of science. The "Modern Geography, digested on a new plan," appeared first in two quarto volumes, in 1802; a second edition published in 1807, consists of three; and there is an Abridgement in a single octavo. In 1802 Mr. Pinkerton travelled to the French capital, and on his return published his observations, under the title of "Recollections of Paris," 2 vols. 8vo. Subsequently he was employed in editing a "General Collection of Voyages and Travels," which was extended to nineteen volumes, quarto; and a "New Modern Atlas," in parts, both which works commenced in 1809. Mr. Pinkerton's last original work was "Petralogy, or a Treatise on Rocks," 2 vols. 8vo. 1811; but in 1814, still pursuing his attacks on the Celts, he republished in two octavo volumes, his "Inquiry into the History of Scotland," together with his "Dissertation on the Origin and Progress of the Scythians or Goths." Mr. Pinkerton had of late years resided almost entirely in Paris. His appearance was that of "a very little and very thin old man, with a very small, sharp, yellow face, thickly pitted by the small pox, and decked with a pair of green spectacles." Mr. Pinkerton was an eccentric, but highly industrious, literary workman; and his talents, though in some instances ill-directed, were com-



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mensurate with undertakings of no ordinary rank in literature.

10. At Shrewsbury, in his 61st year, the rev. John Brickdale Blakeway, M.A. and F.S.A. minister and official principal of the peculiar jurisdiction of St. Mary's in that town, and Vicar of Neen Savage near Bewdley. He was the eldest son of the late Joshua Blakeway, esq. of Shrewsbury, by Elizabeth, sister of Matthew Brickdale, esq. M.P. in several parliaments for the city of Bristol; and was born in June 1765. He was educated at Westminster school, whence he removed in 1782 to Oriel College, Oxford; in Lent term, 1786, he took the degree of B.A.; and in 1789 he was called to the Bar. He went the Oxford circuit for several years. In the year 1793, in consequence of an unexpected change in the circumstances of his family, he was induced to take orders.

14. At his apartments in the British Museum, aged 56, George-Henry Noehden Ph.D.; LL.D.; F.R.S.; F.A.S.; M.A.S.; F.L.S.; H.S.; Cor. Soc. Scient. Goettingen; Latin, Jena; Min. Jen. Nat. Lips. Berol. &c.; assistant keeper of the antiquities and coins at the British Museum. Dr. Noehden was born at Goettingen, in the kingdom of Hanover, Jan. 23, 1770. Mr. Suchfort, the then head master of the Grammar-school of that town, a man eminent for classical learning, and to whom Michaelis and Heyne intrusted their sons, instructed him in the classics, and professed a great partiality for him. Not contented with the acquisition of the ancient, Noehden cultivated the modern languages, and his proficiency in Italian, French, and English, was rapid. In 1788 he entered the University of his native place, and applied particularly to classical literature and antiquities under Heyne, who, becoming his chief master and patron, employed him in collating several Greek MSS. particularly that of the Iliad, in the possession of the late Mr. Townley, for his edition of Homer. In 1791 Mr. Richard-James Lawrence, a gentleman who had acquired considerable property in the West Indies, repaired with his lady, and two of his sons, to Goettingen, for the education of the latter. Having himself been brought up at Eton, he had a high value for classical studies, and applied to Heyne for a proper tutor in that branch of learning. Heyne re-

commended Noehden, who conveyed his instructions first in French, and after some practice, in the English language. While instructing the sons of Mr. Lawrence in the principles of the German language, Noehden discovered, that Wendeborn's Grammar was insufficient for his purpose; he accordingly began to compose one of his own, being the outlines of the German Grammar for the use of Englishmen, which, in the sequel, he improved to such a degree as to raise it to the rank of his best literary performance. He lived to see a fifth edition of it published. Conceiving an attachment to Englishmen, and English manners, he would willingly have accompanied Mr. Lawrence on a tour through Italy, but for his patron, Heyne, who wished rather to see him settled in the University. Mr. Lawrence and his lady returned to England, leaving two of their sons under Noehden's care, who, at the same time, had the tuition of some other English gentlemen. Mr. Lawrence happened to form an acquaintance at Bognor with the late sir William Milner, when that gentleman was looking out for a private tutor to send to Eton, with his eldest son, the present baronet of the name, and Mr. Lawrence gladly seized this opportunity of recommending Noehden for this situation, upon which he entered in 1793. In December of that year, he reached Nun-Appleton, sir William Milner's estate in Yorkshire. In 1794 he attended his pupil to Eton College. What contributed to render his residence at Eton the more agreeable, was the introduction, by letter from Heyne, to the learned Jacob Bryant. Noehden ever after cherished the highest respect and affection for the worth and profound erudition of Bryant, delighted to speak of him, and had a shade of the eccentric sage, drawn with his cocked hat and walking cane, hanging over his mantle-piece. Noehden also paid several visits to his distinguished countryman Dr. Herschel, at Slough. At Eton he spent with his pupil two years and a half, and when the education of this young gentleman was completed, Noehden alluded to his hopes of some permanent provision in his native town, but lady Milner pressed him to undertake likewise the education of her second son, which Noehden, bound as he was in gratitude to so excellent a family, and



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enamoured of England, could not decline. In the latter end of 1796 sir William Milner introduced him to earl Fitzwilliam. In October of that year, he went with sir William's second son to Goettingen. There, still under the idea of one day becoming a member of some German University, he wrote a dissertation (dedicated to his venerable friend Bryant) "*De Porphyrii Scholiis in Homerum*," and publicly defended it in the University, May 27, 1797, to qualify himself for the degree of A.M. which was thereafter conferred upon him. As his pupil was to continue on the continent only one year, and to spend the concluding months of it at some German court, Noehden repaired with him to Brunswick, whence they departed for Berlin. In 1798, he accompanied his pupil to Eton for the usual period, during which time he paid and received visits to and from his friend Bryant, as before. In 1800, appeared the first edition of his excellent German Grammar, adapted to the use of Englishmen. From a wish to see his mother and brother, and to visit some portion of the continent, he crossed over, in July, 1802, and after spending a few months with his friends, returned by Paris. Sir William and lady Milner were so satisfied with his exertions, that they committed to his care also their third son. In 1804, having accompanied their second son, Charles, now a major in the army, to the University of Edinburgh, he was presented to the earl of Moira, to Dugald Stewart, Dalzel, Playfair, Brewster, sir Walter Scott, &c. In 1811, the late sir William Milner died; when the present baronet, his eldest pupil, evinced the sense he entertained of what he owed to his tutor, increasing by one third the annuity settled on him by the late sir William, as well as by urging him to take up his residence at Nun-Appleton. Noehden, now desirous of being master of his time and actions, in the latter end of the same year took apartments in the Albany. The London booksellers applied to him in 1812 for a pocket dictionary of the German language, then a great desideratum. He compiled one which grew into repute, and of which Mr. H. E. Lloyd, in 1822, published an improved edition. In 1814 and 1815 he made an extensive tour on the continent, and in 1818 accepted an invitation to Weimar, to superintend the education of the children of the hereditary

grand duke of Saxe-Weimar. At that elegant court, justly styled the German Athens, he was treated with distinction, and would have been content to end his days there, had he not previously resided so long in this country; but England was ever uppermost in his thoughts, and he did not conceal his wish to return to it from his numerous correspondents in this country. Accordingly, a situation in the British Museum having become vacant, his friends, especially general Milner, uncle to his late pupils, and lord Milton, exerted themselves so strenuously in his favour, that notwithstanding a competition of nearly thirty aspirants, he was appointed to the place. After a short residence, he quitted Weimar for Italy, and, while at Rome, received these happy tidings, which made an immediate return to England expedient. Thus, in 1820, he at last found himself nominated to an employment congenial to his taste. For some time he had the care of a portion of the library in that national establishment; but when, in 1821, he published a translation of Goethe's *Observations on Leonardo da Vinci's celebrated picture of the Last Supper*, with an Introduction and Notes, the trustees of the British Museum discerned, that he would be more suitably placed in the department of antiquities and coins, of which, owing to the malady under which the gentleman holding that situation laboured, Dr. Noehden soon obtained the entire superintendence. That to the study of ancient and modern art, and more especially to numismatology, he had directed his particular attention, was satisfactorily demonstrated by the publication of his "*Northwick Coins*," which, but for an unfortunate circumstance beyond his control, would have extended to eight or twelve numbers, but was concluded about a fortnight before his death, with the fourth number. In 1823, when the Asiatic Society was instituted, they chose him their honorary secretary. Being a martyr to the gout, his impatience of that unpleasant visitor sometimes led him to make use of a strong medicine: a dangerous expedient which may perhaps have hastened the decay of a frame not originally robust. The first symptom of his fatal malady was mistaken for diabetes, which however, in the end, appeared to have been only a violent effort of the system for ease. He also complained of difficulty



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of breathing, and of lethargy. He expired without any signs of violent pain. On opening the body, the mucous membrane was found to be much inflamed, and the cartilaginous parts of the ribs ossified. The head contained a large quantity of water. His remains were interred in the church of St. John the Baptist, in the Savoy. The annuity of 300*l.* allowed him by the Milner family, added to the profits arising from his publications, and to the salary annexed to his situation at the British Museum, gave him, in his latter years, a comfortable income of about 900*l.* per annum. He left about 1,000*l.* in the 4 per cents and 200*l.* in the French funds, which, together with the value of the copyright of his publications, and the proceeds of his library and furniture, devolve on his two sisters. Among his papers no complete manuscripts were found ready for the press, but only fragments, consisting of 1. An Introduction to Numismatology; 2. a Translation of some Chapters of Winckelmann's "History of Art," undertaken, it is understood, at the instance of lord Colchester; 3. a Translation of part of Lessing's *Laocoon*; 4. numerous Journals of his Travels.

15. Near Dublin, aged 82, John, sixth viscount Netterville, one of the Roman Catholic peers of Ireland. The title is extinct. He was born March 1744; and succeeded his father, Nicholas, 19th March, 1750.

16. At Paris, the celebrated traveller and naturalist, Leschenault de la Touer; in his 55th year.

17. At Moscow, professor Dr. George Francis Hoffman, known to the scientific world by his writings on botanical subjects. He was born in Bayreuth, in 1766.

18. At Maghera, aged 122, Mrs. Anne Mulholland.

23. Aged 74, William Prowse, esq., rear-admiral of the Blue, and C.B. This distinguished officer commenced his career as a master's mate on board the *Albion* of 74 guns, commanded by capt. George Bowyer, in the action fought off Grenada, between vice-adm. Byron and the count d'Estaing, July 6, 1779; and in Rodney's battles with de Guichen, off Martinique, April 17, and May 15 and 19, 1780. The *Albion's* loss, in those several engagements, amounted to 27 killed and 128 wounded;

among the latter of whom was Mr. Prowse, who was struck by a large splinter in the head.

24. At Rome, Francisco Antonio Baldi, keeper of the Vatican library. aged 77.

25. At his apartments in York-buildings, Mary-le-bone, after a long and painful illness, borne with much fortitude, aged 58, Dr. John Gray, late physician to Haslar hospital. During the eventful period of the French Revolutionary war, he held various responsible offices connected with the medical department of the navy. Lords St. Vincent, Nelson, and Collingwood, were his personal friends. It was at the personal request of the Hero of the Nile, on his return from the pursuit of the French to the West Indies, in 1805, that he was made physician to the fleet which won the battle of Trafalgar.

— At one o'clock in the morning, at his residence in Cavendish-square, the very reverend the lord bishop of Durham. His lordship was the fifth and youngest son of the first visc. Barrington, and was born the 26th of May, 1734. After an education at Eton and Oxford, where he was for some years fellow of Merton College, he entered into holy orders, was appointed chaplain to king George 2nd, and afterwards to his late majesty. In 1761 he was made canon of Christ Church, Oxford, and a few years afterwards residentiary of St. Paul's. This last-mentioned preferment, the inability of Mrs. Barrington to bear the confined air of the house of residence, induced him, at a time when he could ill afford such a sacrifice of income to exchange for a canonry at Windsor. In 1769 he was consecrated bishop of Llandaff, and continued in this see till 1783, when he was translated to Salisbury. In 1791 he succeeded Dr. Thomas Thurlow in the opulent see of Durham. His learning was various, and extended through the branches of knowledge connected with his profession. As a preacher, he was, in his day, of no mean order; and as a speaker in the House of Lords he was always heard with attention and respect. Although his first elevation to the bench was owing to the influence of his brother, viscount Barrington, at that time secretary at war, yet his subsequent advancement was, in each instance, the act of the king himself. His translation to



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Salisbury, in particular, was contrary to the earnest and repeated instances of the minister of the day, the earl of Shelburne, who was anxious to obtain that see for a particular friend and partisan of his own, the late bishop Hinchliffe. His final promotion to the bishoprick of Durham was the unsolicited act of the same gracious and royal patron. The conduct of this prelate in the government of three dioceses in succession, during the long period of fifty-seven years, was marked by the most exemplary zeal, diligence, kindness, and discretion. As a patron, he stood pre-eminent. Never, perhaps, have the rich dignities and benefices in the gift of the see of Durham been bestowed with so much attention to the claims of merit. It repeatedly happened that his most opulent preferments were conferred on persons utterly unknown to him, except by their characters, and by their literary labours. Next to the exemplary discharge of the duties of a patron, he was conspicuous in the eyes of the world by his princely munificence. There was no scheme of useful charity which had not his name among the foremost contributors; and there were even few institutions for the advancement of any object of public utility, particularly for the cultivation of the fine arts, of which he was not a generous supporter. Large as were his acts of public munificence, they bore but a small proportion to the deeds of private unobtrusive charity, which were the daily occupation of his life. No one, perhaps, ever better understood the value of money, or employed it more judiciously as the instrument of virtue. He reached the great age of ninety-two with rare and light attacks of sickness; and when at length a stroke of paralysis deprived him of the use of some of his members, he made such efforts towards recovery, that it appeared probable that his death might still be remote. He had little or no bodily suffering; and his mind was unclouded almost to the last.

26. At Elmdon, aged 88, the relict of Isaac Spooner, esq. and mother of Mrs. Wilberforce.

27. At his apartments, Coleman-street, aged 76. Mr. Edward Charlton; on the 30th he was interred in the vault under St. Stephen's, Coleman-street. He was born at Newcastle-upon-Tyne, and was a schoolfellow of the earl of

Eldon and lord Stowell, sons of Mr. Scott, at Mr. Moise's school at that town. He resided several years at Oxford and Bath; was about twenty years in the employ of Messrs. Pickford's, Castle Inn, Wood-street, and about five or six years since he retired on a moderate competency.

27. In Lower Grosvenor-street, in his 14th year, a son of the rev. lord viscount Barrington, nephew of the late bishop of Durham.

— At Brockle-hill, Wm. Godfrey, esq.

— At Paris, aged 56, Dancourt de St. Just, a well-known dramatic writer, and author of "Le Calife de Bagdad," and "Jean de Paris."

29. John-Richard, third son of lieutenant-col. sir Hew Ross, K.C.B.

— At Fortis-green Cottage, Muswell-hill, Hornsey, Houlton Smith King, esq. a commissioner of customs.

— At his house at Tillingbourne, near Dorking, colonel Delancey Barclay, C.B. of the Grenadier guards, and aide-de-camp to the king. He served in Flanders, was at the battle of Waterloo, and was for some years aide-de-camp to the duke of York.

— Aged 86, sir John Aubrey, of Borstall, Bucks, sixth bart. of Llantrithyd, co. Glamorgan, D.C.L. M.P. for Horsham, and father of the House of Commons, having sat, without intermission, in twelve successive parliaments. Descended from St. Aubrey of the blood royal of France, who came to England with the conqueror; sir John was the eldest son of sir Thomas, the fifth baronet, by Martha, eldest daughter of Richard Carter, esq. of Chilton, co. Buckingham, one of his majesty's justices of the grand sessions for the counties of Glamorgan, Brecon, and Radnor. He was educated at Westminster school, and was a gentleman commoner of Christ Church, Oxford, where he was created D.C.L. July 8, 1763. On his return from his travels, he was first elected to parliament for Wallingford at the general election in 1768, next for Aylesbury at that of 1774, again for Wallingford at that of 1780, for the county of Buckingham at that of 1784, for Clitheroe at that of 1790, for Aldeburgh (Suffolk), at those of 1796, 1802, 1806, and 1807: for Steyning at those of 1812, and 1818; and lastly, for Horsham at that of 1820. Sir John Aubrey, in his politics, was



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a Whig, originally voting with Mr. Fox: not approving of the coalition, he withdrew his support and joined Mr. Pitt, and in 1782 was appointed a lord of the admiralty, and in 1783 a lord of the treasury; but the question of the regency soon occurring, sir John resigned his office in the treasury in 1789, and rejoined his old friends. He was twice married, first to Mary, eldest daughter and coheirress of sir James Colebrooke, first baronet of Bath, and only sister to the present dowager countess of Tankerville; she died June 14, 1781. His second lady was Martha-Catharine, daughter of Geo. Rich. Carter, esq.

— At Heidelberg, in his 76th year, the celebrated German poet and translator, Johann Henrich Voss, born at Simmersdorf, in Mecklenburg, Feb. 20th, 1751. He was in early youth inspired with the love of learning, but he had obstacles to contend with in the narrowness of his means; his father was in a station bordering upon absolute poverty. Voss at last procured the means necessary for devoting himself to academical studies. In 1772 he was received into the university of Gottingen. Young Voss was not long in distinguishing himself among the pupils of this excellent institution, which was already well known throughout Europe. He made rapid progress in the ancient languages, and cultivated, at the same time, his talent for poetry. It was about this time that there was formed at Gottingen a society of young men whose names speedily acquired a just celebrity. Voss became a member of this association, in which, also, shone Hoelty. The two counts de Stollberg, and Mülner, author of "Siegwart," were parties in this association. These young friends met on Saturday, and in fine weather, frequently in the open air, under the shade of some majestic oaks. In the summer, indeed, they assembled in a garden, and prolonged their literary meetings even till sunrise. Extemporaneous verses were produced and communicated with enthusiasm as they were spoken. Burger, so well known by his romances and ballads, and Klopstock himself were honorary members. Voss, in his "Life of Hoelty," prefixed to the new edition of the poems of his friend (published at Hamburgh in 1804), traces, in an interesting manner, these recollections of his youth. Voss lived some time at Hamburgh, and it

was there that he published a Poetical Almanack for several years, which was a continuation of that of Gottingen. In 1782, he was named head-master of a school at Eutin, in 1802 he settled at Jena; and finally, in 1805, upon the new organization of the University of Heidelberg, the grand duke of Baden invited Voss thither to give the greater celebrity to that institution. The poetical productions of this author are numerous. Voss knew all the riches of the German language, and possessed in a very high degree the talent of managing and adapting it to the most difficult kinds of composition. Following the steps of Klopstock, he succeeded in naturalizing in German literature the metrical forms of Greek and Latin prosody, and at the same time showed how easily he could overcome the difficulties of rhyme. A collection of the poems of Voss appeared at Koenisberg in 1802, the last of which contained a treatise on prosody. The industry of Voss was surprising. German literature owes to him a great many translations, of which we may mention that of Virgil, that of a great part of the *Metamorphoses* of Ovid, those of Horace, Hesiod and Orpheus, Theocritus, Aristophanes; but, above all, that of the *Iliad* and *Odyssey*; this *chef-d'œuvre*, written in hexameters, is so close to the original, that it may be considered as in truth a fac-simile. The unwearied Voss undertook also, in conjunction with his two sons (Henry Voss, professor at Heidelberg, who died in 1822, and Abraham Voss), a translation of Shakspeare, of which several volumes have appeared. This surprising man, not content with his numerous successes as a poet and philologist, devoted himself also to profound researches into the geography and mythology of the ancients. He thought proper to impugn the system on the latter subject developed in one of the most remarkable works of the day—the *Symbols* of the learned professor Creutzer; and published his *Anti-Symbols*. Voss terminated his honourable career on the 29th of March, at the age of seventy-five. He expired while conversing with his friend and physician, M. Tiedemann.

## APRIL.

1. At Mittau, baron Ulrick Gustavus von Schlippenbach, born at Gross-Worm-



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sathen in Courland, May 6th, 1774. In 1814 he went to St. Petersburg, where he was appointed one of a committee to inquire into the state of the peasantry of Courland, and the means of ameliorating their condition. The emperor bestowed upon him the assignment of an estate for twelve years, and in 1821 the Order of St. Anne of the second class. His literary productions are, "Picturesque Wanderings through Courland," 1809; "Poems," 1812; "Memoirs for a History of the War," 1812; "Lebensblüthe," 2 vols., 1816; "Reminiscences of a Journey to St. Petersburg in 1814," 2 vols., 1821. From 1806 to 1809, he edited *Curionia* and *Wega*.

1. In George-street, Portman-square, Frances Constable, relict of Francis Constable, of Burton Constable. She was daughter of Edmund Plowden, of Plowden, co. Salop, esq. and was married in the year 1792.

7. At Benacre Hall, Suffolk, aged 80, sir Thomas Gooch, fourth baronet of that place. He was the eldest son of sir Thomas Gooch, the third baronet, by Anne, daughter and heiress of John Atwood, esq. and widow of — Bates, esq. He succeeded to the title on his father's death, Sept. 10, 1781; and served sheriff of Suffolk in 1785. He married Anne-Maria, daughter of Wm. Hayward, esq. of Surrey, a descendant of the father of W. Patten, commonly styled William of Waynflete, the founder of Magdalen College, Oxford. By this lady sir Thomas had five sons and six daughters.

— In Regent-street, lieut.-gen Philip Kearney Skinner. This officer was appointed second lieutenant in the 23rd Foot, Dec. 21, 1782, and served with his regiment in America until that country was evacuated by the British army. In 1785 he obtained a lieutenancy, in 1793 a company, and Sept. 1, 1795, a majority. He served in the expedition to Ostend, and was taken prisoner. On Dec. 11, 1799, he received a lieutenant-colonelcy in the 56th Foot. From Feb. 1800, to Jan. 1805, he served in Ireland; and on the 24th of April, in the latter year, he sailed for the East Indies. He obtained the rank of colonel, Oct. 25, 1809; major-gen. Jan. 1, 1812, and lieut.-gen. in 1825. The deceased was a member of the consolidated board of general officers.

9. David Jones, esq. of Devonshire-street, Portland-place.

9. Sir George Alderson.

— Marianne, wife of major-gen: Mosheim.

11. The hon. Mrs. Boyd.

14. In Stanhope-street, May-fair, in her 86th year, the right hon. Philadelphia-Hannah, relict of the late Thos. viscount Cremorne, and baron Dartrey of Ireland. Her ladyship was the granddaughter of Wm. Penn, founder of Pennsylvania, N. America, and was born in its capital of Philadelphia.

16. At his seat of Nuthill, co. Fife, in his 82nd year, John Bruce, esq. of Grangehill and Falkland, F.R.S. of London, Edinburgh, and Gottingen; and formerly M.P. for St. Michael. He was the heir-male and representative of the ancient family of Bruce of Earl's Hall, one of the oldest cadets of the illustrious house of Bruce; but he did not succeed to the estate of his ancestors, which was transferred by marriage into another family, and he inherited from his father only the small property of Grangehill, near Kinghorn. Mr. Bruce received a liberal education at the University of Edinburgh, where he was early distinguished for his abilities and extensive erudition; the consequence of which was, that, at an early age, he was appointed professor of logic in that university. At the same time, during the absence of Dr. Adam Fergusson, he was prevailed on to teach his class of moral philosophy. Soon after this, he resigned his chair in the university: having, through the interest of the late lord Melville, to whose family he was distantly related, received a grant of the reversion, along with the late sir James Hunter Blair, of the patent of king's printer and stationer for Scotland; an office, however, which did not fall into their possession for fifteen or sixteen years. Lord Melville procured for him, also, the office of keeper of the State-paper office, and historiographer to the East India company. Mr. Bruce was, for a short time, secretary to the Board of Control. In these various offices he was not idle. The place of keeper of the State-paper office had been made by his predecessors very much of a sinecure: the consequence of which was, that the valuable papers therein deposited were in the greatest confusion; but, by his indefatigable exertions and methodical arrangements, the whole were soon brought into the greatest order, so as to be available to the different



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departments of the government. Mr. Bruce was the author of several valuable works, some of which, though printed by government, were not published for sale, and therefore are not so extensively known as they deserve; and it is believed he has left in manuscript, at the State-paper office, several memoirs in relation to that department. His printed works are: "Elements of the Science of First Principles of Philosophy," 1780, 8vo.; "Ethics," 1786, 8vo.: being the heads of his Lectures on Moral Philosophy; "Historical View of Plans for the Government of British India, and Regulation of the Trade of the East Indies," 1793, 4to.; "Report on the Renewal of the East-India Company's Exclusive Privileges," 1794; "Review of the Events and Treaties which Established the Balance of Power in Europe, and the Balance of Trade in favour of Great Britain," 1796; "Report on Conjunct Expeditions to Frustrate the Designs of the Enemy, by Attacks on his Foreign Possessions or European Ports," 1798; "Report on the Internal Defence of England against the Spanish Armada in 1588, with a View to the Defence of Britain in 1798," on which Mr. Pitt grounded his Measures of the Provisional Cavalry and Army of Reserve; "Report on the Union between England and Scotland," with a view to the projected Union with Ireland, 1799; "Annals of the East-India Company, from their Establishment in 1600 to the Union of the London and English East India Companies, 1707-8." 1810, 3 vols. 4to.; "Report on the Negotiation between the East-India Company and the Public, respecting the Renewal of the Company's Charter," 1812, 4to.; "Speech in the Committee of the House of Commons on India Affairs," 1813, 8vo. During the latter years of his life he spent several months at his seat at Nuthill, on which estate, and his extensive purchases of Falkland and Myers, he was carrying on improvements on a most extended scale, giving employment to great numbers of tradesmen and labourers. He also laid out a large sum in repairing what remains of the palace of Falkland, so as to preserve, for centuries to come, that relic of royalty in Scotland.

19. At his residence in Wolverhampton, after a protracted and painful illness, aged 74, the rev. John Milner, D.D. F.S.A. the Roman Catholic

bishop of Castabala, and vicar apostolic of the midland district of England. Dr. Milner was born in London in 1752. Having received the first rudiments of education at Sedgely Park, near Wolverhampton, and Edgbaston, near Birmingham, he completed his studies at Douay, and was ordained priest in 1777. He was sent on the mission in England soon after receiving holy orders, and was placed in London, from whence he was sent to Winchester. The circumstances which first called forth the zeal and energies of the deceased was the spirit of resistance to ecclesiastical authority, which followed the first relaxation of the penal code against the Catholics. This event took place in 1778, with little opposition in the senate, or dissension among the Catholics; but it was accompanied by the defection of some of the first characters of the Catholic aristocracy from their Church, particularly lords Gage, Falconberg, Teynham, Montagu, Nugent, Kingsland, Dunsany, his grace of Gordon, the earl of Surrey (afterwards duke of Norfolk), &c. the baronets Tancred, Gascoign. Swinburn, Blake, &c. the priests Billinge, Warton, Hawkins, Lewis, Dords, &c. In 1782 five persons were appointed to be "a committee for five years to promote and attend to the affairs of the Roman Catholic body in England;" and the time for its existence being expired, in 1787 another was nominated. Of these committees Mr. Charles Butler was secretary. One of their measures was the proposal of a new oath, which gave rise to a strong contention, in which Dr. Milner took a very prominent and able part. The oath was condemned by the then four vicars apostolic, who issued an encyclical letter, declaring that it could not be lawfully taken. This letter gave rise to the publication of the "Blue-books," so called from being stitched in blue paper, and having no regular title. In one of these the committee protested against the present and all future decisions of the bishops, as "encroaching on their natural, civil, and religious rights." Dr. Milner's first publication was in 8vo. 1789, "A Sermon preached in the Roman Catholic Chapel at Winchester, April 23, 1789, being the General Thanksgiving for his Majesty's Happy Recovery. By the Rev. John Milner, M.A. With Notes Historical and Explanatory," and, it must be added, po-



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lemical, for that is the distinguishing feature of this first, and of most, of Dr. Milner's productions. Soon after the condemnation of the oath in 1789, two of the vicars apostolic died, and were succeeded in the latter part of the following year by Dr. William Gibson for the Northern district, and Dr. John Douglas for the London district. The consecration of the former prelate was performed on the 5th of December, 1790, at the chapel in Lulworth Castle, by bishop Walmsley (the author of "Pastorini's History of the Christian Church"), assisted by the late rev. Charles Plowden, and Dr. Milner, who preached the consecration sermon, published in 8vo., 1791. Bishop Douglas was consecrated at the same place on the 19th of the same month. Before the prelates left Lulworth, they agreed to a second encyclical letter, condemning the appellation of *Protesting Catholic Dissenters*, assumed by the above-mentioned committee; and Dr. M. was appointed to act as agent for the bishops of the Western and Northern districts. In this capacity he became personally acquainted with the most celebrated statesmen of the day: namely, Mr. Pitt, Mr. Fox, Mr. Dundas, and Mr. Windham; and was likewise introduced to three of the Protestant bishops (with one of whom, Dr. Horsley, he became united in friendship), Mr. Wilberforce, and Mr. Wm. Smith. He exerted himself to make these members of the legislature sensible of the obnoxious parts of the oath which the committee had introduced into their bill for the relief of the Catholics, and which was presented to the House of Commons on the 1st of March, 1791, by Mr. Mitford. On his journey from Winchester to London, he drew up a document relative to the dispute between the prelates and the committee, consisting of questions from the first Blue-book, with answers to the same, and entitled "*Facts relating to the Contest among the Roman Catholics*," and caused copies to be printed and circulated among the members. The effect produced by this paper may be gathered from this fact: After Mr. Mitford had spoken in favour of the *Protesting Catholic Dissenters*, and against the Papists, alluding to those who adhered to their bishops and the name of Catholic, and Mr. Fox and Mr. Pitt had delivered their sentiments on the question, the late sir

Archibald Macdonald, then Attorney-general, rose and said, that, as he was entering the House, a paper (Dr. Milner's "*Facts*," ) had been put into his hands, which proved that one of the Catholic parties were as good subjects and as much entitled to favour as the other. This declaration of the Attorney-general surprised the House, and caused the contents of the paper to be more closely examined. After Mr. Pitt had minutely read it, he thus expressed himself, "We have been deceived in the great outlines of the Bill, and either the other party must be relieved, or the Bill not pass." A passage respecting our English St. George, in Dr. Milner's sermon on the king's recovery, having occasioned a controversy in the *Gentleman's Magazine*, to which Dr. M. was, at that time, a frequent correspondent, it produced from him, in 1792, an octavo pamphlet, entitled, "*An Historical and Critical Inquiry into the Existence and Character of St. George, Patron of England, of the Order of the Garter, and of the Antiquarian Society; in which the Assertions of Edward Gibbon, esq. (History of the Decline and Fall of the Roman Empire, chap. xxiii) and of certain other Writers, concerning this Saint, are discussed. In a Letter to the Rt. Hon. George Earl of Leicester, President of the Antiquarian Society.*" Attempts having been made, to persuade the Romish Clergy and people that they had a right to choose their bishops, three works which were published in support of this pretension by a leading member of the committee, were answered in detail by the deceased prelate in three separate pamphlets, bearing the following titles: "*The Clergyman's Answer to the Layman's Letter*," "*The Divine Right of Episcopacy*," and "*Ecclesiastical Democracy Detected*, being a Review of the Controversy between the Clergyman and the Layman, concerning the Election of Bishops, and of other matters contained in the Writings of sir John Throckmorton, bart." On the execution of the French king, Dr. Milner composed and published "*The Funeral Oration of his late Most Christian Majesty, Louis XVI., pronounced at the Funeral Service performed by the French Clergy of the King's House, Winchester, at St. Peter's Chapel in the said City, April 12, 1793.*" The circulation of Dr. Milner's forcible and argumentative "*Facts*,"



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greatly annoyed the Catholic committee. An attempt was made to invalidate his appointment, but it totally failed. The scheme was detected, and exposed by him, in a pamphlet called "A Reply to the Report of the Cisalpine Club," published in 1795. Finally, the committee were compelled by the ministry to drop the obnoxious title of *Protesting Catholic Dissenters*; and in the House of Lords the condemned oath was totally discarded, the Irish oath of 1778 being substituted in its place. The intervals between these controversies were dedicated to the study of antiquities, particularly as connected with the church. He continued a frequent contributor to the pages of *Sylvanus Urban*, and in 1798 his indignation having been roused at the unsparing transformation of Salisbury cathedral, he published "A Dissertation on the Modern Style of altering Cathedrals, as Exemplified in the Cathedral of Salisbury." Dr. Milner's next, and, indeed, his principal work, was the "History, Civil and Ecclesiastical, and Survey of the Antiquities of Winchester," 4to, 1799, which he dedicated to the countess Chandos Temple, wife of the present duke of Buckingham. This work, though highly meritorious in an historical and antiquarian point of view, was as much interlarded with polemics as the author's other productions. The character of bishop Hoadly being treated in it with some freedom (the author observing, "it may with truth be said, that both living and dying he undermined the church of which he was a prelate"), the rev. Dr. Sturges, prebendary and chancellor of Winchester, the friend of Dr. Hoadly, published in answer, "Reflections on Popery, occasioned by the Rev. J. Milner's History of Winchester;" and Dr. Robert Hoadly Ashe issued a "Letter" on the same subject. This controversy produced his "Letters to a Prebendary." So much admired were Dr. Milner's letters by his own church, that they have been printed and reprinted in England, Ireland, and North America. In 1801, the principal ground of objection taken to the "emancipation" of the Catholics being that it would be a violation of the coronation oath, Dr. Milner published his "Case of Conscience Solved, or the Catholic Claims Proved to be Compatible with the Coronation Oath." When Buonaparte became first consul of France, he en-

tered into a concordat with the late Pope Pius VII. who had recently been elected to the Papal chair, by which a new circumscription of dioceses throughout that kingdom was deemed necessary. This measure met with some opposition among the French emigrant clergy, who had sought refuge in England from the persecutions of the revolutionary infidels during the reign of terror. M. Blanchard, in particular, published several works of a nature highly derogatory to the supreme head of the Catholic church. At this crisis Dr. Milner produced a work of some extent, entitled, "An Elucidation of the Conduct of Pope Pius VII. with respect to the Bishops and Ecclesiastical Affairs of France," 8vo. 1802. Even at this time, the controversy about the Blue-book doctrine was by no means extinguished, especially in the Midland district, where the Staffordshire priests were imbued with its influence, and in a kind of hostility with the other districts. In this state of things, Dr. Stapleton, who had been appointed vicar apostolic of the Midland district in November, 1800, died in May 1802. The vacancy occasioned a strong contest between the senior vicar apostolic and "the discomfited party of 1791," who had formed themselves into a "Cisalpine Club," and used every exertion to obtain a bishop of their own choice. By the united influence, however, of the senior vicar and cardinal Erskine, Dr. Milner was appointed bishop of Castabala, and vicar apostolic of the Midland district, on the 1st of March, 1803. The appointment was not wholly desirable to the unassuming new-elect. "He foresaw the difficulties he should have to encounter by going to reside in the very focus of Blue-bookism; he consulted his friends, and for some time remained undecided; but was at length induced to accept the arduous dignity, lest by refusing the situation some one might be appointed who would perpetuate the dissensions and innovations; whereas, by accepting the appointment, he might reduce the rebellious disposition so long manifested, and bring the clergy to a state of obedience." Dr. Milner having consented to receive consecration, that ceremony was performed in St. Peter's Chapel, Winchester, May 22, 1803, by bishop Douglas, assisted by bishops Gibson and Sharrock, and by Dr. Poynter, bishop elect of Halia, and



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several other priests of distinction. The rev. T. White, the tried and chosen friend of the new bishop, preached the consecration sermon. The consecration of Dr. Poynter took place the following week, at Old Hall College, and Dr. Milner preached his consecration sermon. Dr. Milner lost no time in entering upon the active duties of his extensive diocese, which comprised fifteen counties. He immediately came to Longbirch, a mansion upon the Chillington estate, the ancient and usual dwelling of his predecessors; but in September, 1804, he took up his residence in the town of Wolverhampton as a more convenient situation, where he continued to reside until the period of his dissolution. In 1805 he published in 8vo, "A Short View of the Chief Arguments against the Catholic Petition now before Parliament, and of Answers to them, in a Letter to a Member of the House of Commons." This was a dissertation on the various topics of objection to the claims of the Catholics. It was quoted by the late Mr. Fox in the House of Commons. In 1806 he issued "A Pastoral Address to the Catholics of the Middle District," 8vo. and "Authentic Documents relative to the Miraculous Cure of Winefred White, of Wolverhampton, at St. Winefred's Well in Flintshire, with Observations thereon." In 1807 Dr. Milner published a second edition of his "Case of Conscience Solved, and an Appendix containing some Observations on a Pamphlet by the Rev. T. Mesurier." In the summer of the same year, Dr. Milner paid, for the first time, a visit to Ireland. The result of the venerable doctor's personal observation was given to the English public in a thick octavo volume, under the title of "An Inquiry into certain Vulgar Opinions concerning the Catholic Inhabitants and Antiquities of Ireland," 1808. The publication of this work, combined with the writer's appointment as agent to the Catholic hierarchy of Ireland, produced three separate pamphlets from the pens of established clergymen, whose remarks the indefatigable prelate answered in a postscript to the second edition of this work. On the 25th of May, 1808, another discussion of the question of emancipation came on, when, in the course of the debate, Mr. Ponsonby stated that, if the prayer of the petition were granted, the Catholics

would have no objection to make the king virtually head of their church; and, on being asked for his authority, he named Dr. Milner. A few days only passed before the publication of an explanatory letter from Dr. M. which was read by the clergy to their congregations throughout the Midland district. This circular was dated the 26th, the day after the debate, and shewed the anxiety of the prelate to stand well with his flock and the public. He affirmed that he had given no authority to Mr. Ponsonby to make use of his name in this way, and had only expressed to that gentleman, in an unexpected interview, the probability that some arrangement might be made to grant a negative power to the government in the choice of bishops for the Catholic sees of Ireland. The adversaries of Dr. Milner, however, took every advantage of this misunderstanding on the part of Mr. Ponsonby, to heap every degree of obloquy on the doctor. To his constituents, the Irish Catholic hierarchy, the prelate's explanation was satisfactory, and in September, 1808, they passed two resolutions, declaring it inexpedient to make any alteration in the canonical mode of nominating Catholic bishops; and pledging themselves to nominate those only who were of unimpeachable and loyal conduct. In 1808 he also published "A Serious Expostulation with the Rev. Joseph Berington, on his Theological Errors concerning Miracles," 8vo.; "An Examination of an Article in the Anti-Jacobin Review, on sir John Coxe Hippisley's Additional Observations," 8vo.; and in 1809 the "Substance of a Sermon preached at the blessing of the Catholic Chapel of St. Chad, Birmingham," 8vo. In the latter year also his History of Winchester appeared in a second edition. The transactions arising out of the question of the Veto, and his project of a negative power, caused Dr. M. to be attacked by some writers in the Dublin papers, under the assumed signatures of Sarsfield, Laicus, Inimicus Veto, and others. To these he ably replied, and also wrote some articles in the Statesman newspaper in defence of the Catholics, which were afterwards published in the form of a pamphlet.—In defence of his own opinion, Dr. Milner wrote a pamphlet, entitled, "A Letter to a Parish Priest," which was intended exclusively for private circulation, fifty



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copies only being printed ; but one of these copies falling into the hands of his adversaries, it was printed and represented as a serious advocacy of the Veto, whereas it was meant only as a vindication against a Catholic prelate who had written to Dr. M. in terms too sharp and indignant for him to bear in silence. Though mortified by this trick of his enemies, Dr. Milner refused to explain the drift of his essay, and soon after, in deference to the decision of his episcopal constituents, he publicly retracted and condemned his work ! The Catholic prelates of Ireland were so satisfied with his conduct, that in a synod held on the 26th of February, 1810, they passed a resolution, "That the thanks of this Meeting be given to the Right Rev. Dr. Milner, Bishop of Castabala, for the faithful discharge of his duty, as agent to the Roman Catholic Bishops of this part of the United Kingdom, and more particularly for his Apostolical firmness in dissenting from and opposing a general, vague, and indefinite declaration or Resolution, pledging the Roman Catholics to an eventual acquiescence in arrangements, possibly prejudicial to the integrity and safety of our Church discipline." To do away the effect of a work which the deceased prelate had written, entitled "An Elucidation of the Veto," 8vo., 1810, Mr. Charles Butler took up his pen, and published "A Letter to an Irish Catholic Gentleman," which work was immediately followed by another from Dr. Milner, called "Letters to a Roman Catholic Prelate of Ireland, in refutation of Counsellor Charles Butler's Letters to an Irish Catholic Gentleman ; to which is added, A Postscript containing a Review of Dr. O'Connor's Works, entitled Columbanus ad Hibernos on the Liberty of the Irish Church." This latter work appeared in 1811, and was published in Dublin. In the same year also appeared from his prolific pen, "Instructions addressed to the Catholics of the Midland Counties of England," 8vo. ; and a "Treatise on the Ecclesiastical Architecture of England," 8vo. In 1813, disapproving of the bill for relief of the papists, then introduced into the House of Commons, Dr. Milner came to town from Wolverhampton on the 18th, the day previous to the debate in the committee of the House, and immediately drew up a brief memorial, which he had printed and partly circulated on

the 21st of that month, the grand division on the bill being fixed for the 24th. One of Dr. Milner's later productions is entitled "Supplementary Memoirs of English Catholics," addressed to C. Butler, esq. Another, which appeared in 1818, after having lain by him unpublished for at least fifteen years, is called, "The End of Religious Controversy." This is pronounced by Mr. Butler, in his Book of the Roman Catholic Church, to be "the ablest exposition of the doctrines of that Church on the articles contested with her by Protestants, and the ablest statement of the truths by which they are supported, and of the historical facts with which they are connected, that has appeared in our language." Be this as it may, it roused the ardour of the late eminent Dr. Parr in defence of bishop Halifax, whom Dr. Milner, in three places, stated to have died a Roman Catholic. Dr. Parr's "Letter" did not appear till after his death, when it was rebutted by Dr. Milner, in no very satisfactory manner, in "A Parting Word to the Rev. Rich. Grier, D.D. Vicar of Templehodane, on the End of Religious Controversy ; with a brief notice of Dr. S. Parr's Posthumous Letter." The article on Gothic Architecture in Rees's Encyclopædia is said to have been from Dr. Milner's pen. To the Archæologia of the Society of Antiquaries he contributed, in 1794, Observations on an ancient Cup formerly belonging to the Abbey of Glastonbury ; in 1806, an Account of an Ancient Manuscript of St. John's Gospel ; in 1809, a Description of a Mitre and Crosier, part of the Pontificalia of the See of Limerick ; in 1811, an Account of the Monastery of Sion in Middlesex ; and in 1821, Observations on the use of the Pax in the Romish Church. He was a most voluminous contributor of essays illustrative of the admirable etchings of his friend, Mr. John Carter in "Specimens of Ancient Sculpture and Painting." The following subjects were elaborately described and explained by him : "Paintings in St. Mary's Chapel, Winchester ;" "Account of the Murder of Thos. Becket, archbishop of Canterbury ;" "Basso Relievos on the Capitals of Columns supporting the Lantern of Ely Cathedral ;" "Sculptures, &c. from Hyde Abbey ;" "Sculptures from the Hospital of St. Cross ;" "An Ancient Chapel near the Angel Inn, Grantham ;"



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“An Oak Chest in the Treasury of York Cathedral;” “Statues and a Basso-Relievo in the High Altar of Christ Church, Hants.,” “Brass in the Hospital of St. Cross;” “Statues on the Screen entering into the Choir of York Cathedral;” “Painting on Glass at All Souls College, Oxford;” “A Brass and Sculptures from Wimborn and Sherborn Minsters, Dorsetshire;” “The Penance of Henry II. before the Shrine of Thomas Becket, archbishop of Canterbury.” He also contributed to Mr. Schnebbelie’s “Antiquaries’ Museum,” “Account of Paintings discovered in Winchester Cathedral.” The funeral obsequies of this controversialist were celebrated at the Catholic Chapel, Wolverhampton, on the 27th of April. Upwards of thirty of the neighbouring priests attended, by whom the office for the dead was repeated, and a high (requiem) mass was performed, in which the right rev. Dr. Walsh officiated, assisted by the rev. Henry Weedall and the rev. T. Green, as deacon and sub-deacon, with others, principally from Oscott.

19. At the family seat, Kilkenny, aged 53, hon. Somerset-Richard Butler, brother of the earl of Kilkenny, and heir presumptive to his viscountcy of Mountgarret. He was the second son of Edmund, eleventh, and late viscount, by Henrietta-Butler, second daughter of Somerset-Hamilton, first earl of Carrick; and married Mrs. Kelly.

20. At Whaley-house, Stephen’s-green, Dublin, aged nearly 58, lady Anne Whaley, aunt of Richard, present and third earl of Clanwilliam. She was born April 24, 1768, the eldest daughter of John, the first earl, by Theodosia, only daughter and heiress of Robert-Hawkins Magill, esq. (grand-daughter of John, first earl of Darnley); and was married at Dublin, April 7, 1788, to William, second son of Richard-Chapel Whaley, esq. of Whaley abbey, county of Wicklow, and brother-in-law to John, first and late earl of Clare, lord high chancellor of Ireland.

— In his 51st year, the rev. Robert-Philip Goodenough, M. A. second son of Samuel, lord bishop of Carlisle, prebendary of Carlisle, of York, of Rippon, and of Southwell, vicar of Carlton in Lyndrick, Nottinghamshire, and rector of Beasby, Lincolnshire. Mr. G. was brought up at Westminster school, and Christ Church, Oxford. Under the en-

couragement, which he, in common with all other young men of talents and diligence, received from Dr. C. Jackson, he was soon distinguished as a sound and good scholar. In 1797, while a Bachelor of Arts, he gained the University prize for an English essay on “The Influence of Climate on National Manners and Character,” and, for some years after he had taken his degree of M. A., he officiated as one of the public tutors of the college. He married afterwards, Cecilia, the youngest daughter of Dr. William Markham, archbishop of York, by whom he has left a numerous family, of whom one was at the late election at Westminster school, chosen a student of Christ Church.

22. At Conan-house, county of Ross, sir Hector Mackenzie, lord lieutenant of Ross-shire.

— In his 63rd year, Mr. James Caulfield. He was born in the Vine-yard, Clerkenwell, Feb. 11, 1764. His father was a music-engraver, and he intended his son James for the same business, but in consequence of a scorbutic affection in his eyes, which rendered his sight extremely weak, the idea was relinquished. When about eight years old, his father went with him to Cambridge for the benefit of his health; where he became acquainted with Mr. Christopher Sharpe, the celebrated print collector, and turner. This gentleman was so delighted with the enthusiasm of his young friend, with regard to engravings, that he took every pains to satisfy his inquiries as to the different works of art; and at his departure, presented him with five pounds, and a collection of prints, among which were many of his own etchings. This laid the foundation of young Caulfield’s knowledge and love of engravings;—he employed all his pocket-money in purchasing portraits; and in a short time he procured a tolerable collection, principally by purchasing low-priced lots at Hutchins’s sale-room in King-street, Covent-garden. At length, in 1780, his father opened a small shop for him in Old Round-court, Strand; and here he was honoured with the patronage of Dr. Johnson, Mr. Cosway the royal academician, and many other eminent men. About this period, the elder Mr. Ashley (father of the Messrs. Ashleys, the leaders at Oratorios), being in want of a great quantity of music for the performers at Westminster abbey, at the celebration of



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Handel, young Caulfield, having obtained some knowledge of the art of music-engraving, assisted his father in completing the work he had in hand for Mr. Ashley; and earned a sufficiency of money to enable him to open a larger shop in Castle-street, Leicester-square. There he published the first Number of his popular work, "The Lives and Portraits of Remarkable Persons," which at intervals he completed in 2 volumes. His "History of the Gunpowder Plot;" "Life of Old Parr," with Plates by Van Assen; and "The Aubrey Papers," followed next. Of this latter work, only two numbers appeared, owing to a dispute between Mr. C. and Mr. Edmund Malone; which caused Caulfield to publish a severe letter to Mr. M. The whole impression (250 copies) was bought up by Malone in one day. He next edited "A Treatise on the Dignity of Trade," and a series of "Burton's Pieces." His "Gallery of British Portraits" appeared in 1809; in 1810 he edited "Cromwelliana;" and in 1814, in conjunction with Mr. Smeeton, he published a quarto edition, with plates and notes, of "Sir Robert Naunton's Fragmenta Regalia;" as also, "Chalco-graphiana, or, The Printseller's Chronicle and Collector's Guide to the knowledge and value of engraved British Portraits." These various works, together with his knowledge of engraved British portraits, gained him the patronage of the most eminent print-collectors; among whom may be mentioned, earl Spencer, Mr. Townley, Mr. Bindley, the rev. Mr. Cracherode, general Dowdeswell, sir P. Musgrave, Mr. Sutherland, &c. It was generally supposed that Mr. Caulfield was the author of a satirical work, called "Chalcographimania;" or at least, that he communicated the private particulars contained in it; but this was not the case. The late Mr. Thomas Coram laid the foundation of the work, and supplied the slander; and the preparer of the materials for the press is now living. Mr. Caulfield, for a few shillings, while in *Banco Regis*, did certainly read over the work, and added the note (*k*) in p. 171. From 1814 to 1820, he principally employed himself in buying and selling scarce prints, illustrating various works, and making booksellers' and printsellers' catalogues. In 1820, his "High Court of Justice" appeared in 4to., with plates; and in 1823, the first number of "Bio-

graphical Sketches illustrative of British History," of which only three numbers were published; but he has left matter sufficient to make three volumes. Mr. C. also published numerous minor works: he wrote the principal part of the descriptions to the plates in "Wilkinson's Londina Illustrata;" edited the last edition, in 6 vols. of "Granger's Biographical History;" and furnished the lives, to the recent edition of the "Kit Kat Club." He also produced for Mr. Walker, a new series of his Remarkable People, down to the reign of George II. In the earlier part of his life, Mr. C. was peculiarly attentive to the neatness of his dress; but in his latter days he became slovenly, and yielded to habits of intemperance. No person laboured more intensely to earn money than he did, and, when in possession of it, no one lavished it more thoughtlessly. He was, however, the chief support of his aged parents; and for the last twelve months of his life, out of a scanty pittance of five shillings a day, which he earned in making booksellers' catalogues, and while oppressed with illness and infirmities, he supported his youngest daughter and her family, leaving himself very often pennyless, rather than that they should want. In January last, he had the misfortune, by a fall, to break his knee-pan, and was instantly conveyed to the house of his excellent brother, Mr. Joseph Caulfield, of Camden Town. There he remained six weeks, and, on his surgeon intimating it would be best to have further advice, he determined, although against the unanimous wish of his family, on going to St. Bartholomew's Hospital, whither he was conveyed, and after remaining there ten days, he breathed his last in King Henry the Eighth's ward.

23. At Edinburgh, aged 23, the hon. Frederick Forbes, third son of James-Ochancar, present and seventeenth lord Forbes, and Elizabeth, eldest daughter of Walter Hunter, of Polmood, county of Peebles, esq. and grand-daughter of George, earl of Cromartie.

— At Kenning House, Kent, aged 74, sir William Leighton, formerly an alderman of London. He was elected to that office for Billingsgate ward in 1799, served sheriff in 1803, lord mayor in 1806, and was knighted during his chief magistracy, May 1, that year. He resigned his gown in 1821.

27. At Bath, the rev. Charles Sym-



## DEATHS.—APRIL.

mons, D. D. rector of Narberth and Llampeter Velfry, and prebendary of Clyday, Pembrokeshire. This gentleman was the younger son of John Symmons, M. P. for the town of Cardigan, which he represented in three successive parliaments from 1746 to 1761; and was born in the year 1749. He was educated at Westminster under Dr. Smith, and distinguished himself much by his early attachment to poetry. From Westminster he was sent to the University of Glasgow, where he contracted a great friendship with the celebrated Mr. Windham, who was much attached to him, and to whose friendship he owed the living of Llampeter at a subsequent period. From Glasgow he entered at Clare-hall, Cambridge, where he took the degree of B. D. in 1776, and was presented to the rectory of Narberth by the king in 1778. His first publication was in 1778, an octavo volume of Sermons. In 1789 he published in quarto, "A Sermon for the benefit of decayed Clergymen in the Diocese of St. David's;" and in 1790, "The Consequence of the Character of the Individual, and the Influence of Education in forming it." Early in the year 1794, when he was about to be presented to the rectory of Llampeter by the interest of his friend Mr. Windham, he, in a sermon before the University of Cambridge, broached some sentiments, which at the present day might have been preached with utter impunity before all the ministers, being sentiments purely theoretic and of the old Whig school: but at that time, parties running high, some designing persons were strongly suspected of having sent up garbled extracts of it to the lord chancellor and others in administration. This occasioned Mr. W. considerable difficulty in having the presentation made out, which, however, he at last accomplished. "I could have obtained," said he, "for another a deanery with less difficulty than I have had to get this Welch living for you." Finding from the same cause obstacles thrown in his way in obtaining a further degree, he removed to Oxford, where, on the 24th of March, 1794, he was incorporated B. D. of Jesus College, and on the 26th proceeded D. D. In 1797 he produced "Inez," a dramatic poem; and in 1800 another, called "Constantia." In 1806 appeared his "Life of Milton," prefixed to an edition of Milton's Prose Works, of which he

was not the editor. The Life of Milton, his favourite author, was written *con amore*. In 1813 he published an octavo vol. of Poems, partly his own, but partly the compositions of a departed daughter, Caroline Symmons, a young lady of admirable talents, as her little poems show, written in all the playfulness of childhood, and poured out almost *ex-tempore* when walking out, or playing, and some at a time when she could hardly write them herself,—so much in her had nature outrun art and education. Subsequently he amused his leisure hours with writing a "Rhymed Translation of the Æneis," which was published in 1817; and only a few months before his death he composed a biographical sketch of Shakspeare's Life, of which he made a present to Mr. Whittingham, his neighbour at Chiswick, who has recently prefixed it to a 12mo. edition of Shakspeare's Works. In his habits, he was remarkable for the regularity of his hours, his movements being always guided by a favourite chronometer, and he invariably rose at five o'clock in the morning, winter and summer. He had enjoyed from his temperate habits (being a Rechabite with regard to wine) a long course of health, and maintained a hale and florid look to a late period of life. He never had the appearance, nor gave himself the indulgencies of an old man; but with him, old age, disease, and death, came on in the short space of two months. In the year 1779, he married Elizabeth, daughter of J. Foley, esq. of Ridgway, county of Pembroke, and sister of admiral sir Thomas Foley, G. C. B. by whom he had issue John Symmons; Fannia, married to lieut.-col. Mallet of the 89th regiment; Charles, Caroline, and Maria. Only the two eldest, and his widow, survive to lament his loss.

28. At his house, in North-row, Park-lane, of an aneurism of the heart, aged 46, the right honourable lord Charles Bentinck, treasurer of the king's household, and a privy counsellor. His lordship had been unwell for some days, but retired to rest at his accustomed hour the preceding evening, apparently well. About half-past seven, a. m. his lordship's footman hearing a noise in his dressing-room, entered the apartment, when he discovered his master lying on the floor, having dropped down dead whilst in the act of dressing himself.



## DEATHS.—MAY.

His lordship was third son of William-Henry-Cavendish, third duke of Portland, K. G. by lady Dorothy Cavendish, only daughter of William, fourth duke of Devonshire, and was brother to the present duke of Portland. He was formerly a lieut.-col. in the army, and had a company in the first foot guards. He received the appointment of treasurer to the royal household, in Aug. 1812. Lord Charles Bentinck married, first, Sept. 21, 1808, Miss Seymour, and by her, who died Dec. 10, 1813, had no issue; and secondly, July 23, 1816, Anne, daughter of Richard, marquis Wellesley, whose former marriage with sir William Abdy, bart. had been dissolved by act of parliament the preceding 25th of June. By this lady he had a son, born Nov. 8, 1817, and another, May 6, 1819.

29. Aged 65, John Robinson Foulis, of Buxton and Heslerton, esq. uncle to sir William Foulis, present and eighth baronet of Ingleby Manor. He was the youngest of the two sons of sir William, the sixth baronet, by Hannah, only dau. of John Robinson, esq. of Buckton; he married, Nov. 16, 1795, Decima-Hester-Beatrix, eldest dau. of sir Chris. Sykes, D. C. L. second baronet of Sledmere, and had issue two sons and four daus. John-Robinson, Hannah, Elizabeth, Mark (named after his uncle the late sir Mark M. Sykes), Beatrix, and Lucy.

Lately, At Paris, lady Susan Douglas, sister of the present earl of Dunmore. Her ladyship was the third dau. of John, fourth and late earl of Dunmore, by lady Charlotte Stewart, dau. of Alex. seventh earl of Galloway; and was thrice married, firstly, July 7, 1788, to Joseph Thorpe, of Chippenham, Cambridge, esq. by whom she had a son, who inherited, in 1804, a fortune of 6,000*l.* a year left by his grandfather, John Thorpe, esq. of Jamaica; secondly, to John Drew, esq.; and thirdly, Aug. 23, 1809, to the rev. Arch. Edw. Douglas, rector of Carnalway, county of Kildare, and Ougteragh, county of Tipperary, by whom she has left an only daughter.

In Weymouth-street, Portland-place, aged 63, the hon. Augustus Phipps, F.R.S. a commissioner of Excise, and brother to the earl of Mulgrave. He was born Nov. 15, 1762, the fifth and youngest son of Constantine, first lord Mulgrave, by Lepell, eldest daughter of John, lord Hervey, of Ickworth (eldest son of John, first earl of Bristol),

and sister of George-William, the second earl of Bristol, and lord lieutenant of Ireland. Mr. Phipps married, Aug. 14, 1792, Maria, eldest daughter of Peter Thelluson, esq. of Broadsworth Park, co. York, uncle to the present lord Rendlesham.

## MAY.

1. In Chapel-street, May-fair, aged 90, Eliz. dowager viscountess Sydney, lady of the bedchamber to her late majesty Queen Charlotte. She was the eldest daughter and co-heiress of Rich. Powys, esq. of Hintlesham Hall, co. Suffolk, by lady Mary Brudenell, sister of the last duke of Montague, and of the late earls of Cardigan and Ailesbury; was married, May 19, 1760, to Thomas Townshend, esq. afterwards created baron and viscount Sydney; by whom she was the mother of the present viscount, the late countess of Chatham, lady Dynevor, the late duchess of Buccleugh, &c. On the 9th her remains were interred near those of the late lord, at Chiselhurst, in Kent.

2. In York-place, the wife of H. U. Reay, esq. of Killingworth House, Northumberland.

— Mr. James Cundy, sculptor. He was riding on horseback in Regent-street, on the morning of the 24th of April, when he was struck by the shaft of a butcher's cart, and received a compound fracture of the leg.

3. Aged 75, the rev. Dr. Robert-Hoadly Ashe, for fifty years perpetual curate of Crewkerne cum Misterton, Somerset, and formerly master of the grammar-school at the former place. Dr. Ashe was son of a prebendary of Winchester, and was presented to Crewkerne in 1775 by the dean and chapter of that cathedral. He compounded for the degrees of M.A. Dec. 11, 1793, and of B. and D.D. July 17, 1794, as of Pembroke College, Oxford. He published in 4to, 1797, for the benefit of an ingenious pupil, some "Poetical Translations from various Authors, by Master John Browne, of Crewkerne, a boy of twelve years old;" and, in 1799, "A Letter to the Rev. John Milner, D.D. F.S.A. Author of the Civil and Ecclesiastical History of Winchester; occasioned by his false and illiberal aspersions on the memory and writings of Dr. Benjamin Hoadly, formerly Bishop



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of Winchester." Between the appearance of these two publications, Dr. Ashe had obtained a very considerable property, and assumed the name of Hoadly before that of Ashe, on the death of his aunt, the relict of Dr. John Hoadly, chancellor of Winchester and son of the bishop.

5. Aged 75, the hon. Pierce-Butler Cooper, uncle to Somerset-Richard, third and present earl of Carrick. He was the third son of Somerset-Hamilton, eighth viscount Ikerrin, and first earl, by Juliana Boyle, eldest daughter of Henry, first earl of Shannon; and was born Aug. 15, 1750, a twin brother with his sister Margaret, afterwards countess of Belmore. He married Dec. 24, 1774, Catharine, eldest daughter of Richard Roth, esq.

12. Aged 68, John Pearson, esq. F.R.S. of Golden-square, an eminent surgeon, and biographer of the late William Hey, esq. of Leeds.

13. At Munich, Dr. Johann B. von Spix. This celebrated zoologist was born at Hochstaedt on the Aisch, in Bavaria, in 1781. Having devoted himself to the study of natural history, particularly comparative anatomy, he was sent by the government of Bavaria to Paris, in 1808, where he prosecuted his researches in this branch of physical science under Cuvier. He afterwards travelled through the south of France and Italy. On his return to Munich he published, in 1811, his "History of Zoology." In 1817 he was sent, together with Dr. Martins, to the Brazils, at the expense of the late king of Bavaria. The result of their expedition were several interesting publications relative to the natural history of that country; among which is a 4to volume of "Travels in the Brazils," with a folio of Plates. Dr. Spix bequeathed 45,000 florins to the Academy of Sciences at Munich.

15. At Boulogne-sur-Mer, in his 40th year, the right hon. Ralph, viscount Neville, capt. R. N. He was born Dec. 21, 1786, the second son of Henry, second and present earl of Abergavenny, and Mary, only child of John Robinson, esq. of Wyke House, Middlesex, secretary to the Treasury. The deceased was with lord Nelson on board the Victory in the battle of Trafalgar; and, in 1806, was a lieutenant on board admiral lord Collingwood's flag ship. He obtained post rank in 1811.

16. At Beleff, in the government of

Tver, on her way from Taganrog to Kaluga, aged 45, her majesty the empress Elizabeth Alexevna, relict of Alexander, emperor of all the Russias. Her imperial majesty had never recovered from the shock which she sustained on the death of the emperor, upon whom, during his last illness, she attended with unremitting and devoted affection. Her majesty, before her marriage, was the princess Louisa-Maria-Augusta, second daughter of Charles-Louis, hereditary prince of Baden, who died in 1801. She was born in 1779, and married in 1793. She assumed the name of Elizabeth-Alexevna on becoming of the Greek religion. Her life was short, but it was a life filled with acts of beneficence, adorned with all the virtues that can dignify woman, and worthy of the throne on which destiny had placed her. Her majesty's eldest sister is the Queen dowager of Bavaria; her younger sisters are Frederica, late Queen of Sweden, and the hereditary grand-duchess of Hesse Darmstadt. [For an account of the funeral, see Chronicle, p. 100.]

16. At Paris, lady Sidney Smith, the lady of admiral sir William Sidney Smith, K.S.C. & F.

— On board his majesty's ship Pyramus, on his return from Mexico, aged 24, Thomas Le Mesurier, esq. of the Home Department, eldest son of the late rev. T. Le Mesurier, rector of Houghton-le-Skerne, Durham.

17. Kiskauko, the celebrated chief of the Chippewas, was found dead in one of the cells of the prison of Detroit, in Canada. He was confined on the charge of being accessory to the murder of a Saginaw Indian, in that place, in January. An inquest was held on the body of Kiskauko, and the jurors returned a verdict that he died a natural death. Little doubt, however, remains, from what has since been ascertained, that he died by poison, procured, at his own request, by one of his wives. On the evening previous to his death he was visited by this woman, who handed him a small cup, and then left the cell; soon after, a number of his family, and the band, of which he was the immediate head, called upon him, held a long conference, and took leave with a solemnity, earnestness, and affection never observed in their previous visits. Kiskauko then requested the gaoler to visit



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him, with whom he shook hands affectionately, thanked him, and concluded by asking for some liquor, which he had never been known to do before. In the morning, at an early hour, a number of his family, men and women, appeared at the gaol, and requested to see Kiskauko. On approaching the door of his cell they called his name two or three times, and finding him lifeless, they expressed exultation rather than surprise.

18. At his house in Duke-street, Westminster, in his 80th year, the right hon. sir Archibald Macdonald, knt. first baronet, of East Sheen, Surrey, and a privy councillor; a younger brother to the first, and uncle to the late and present lords Macdonald. Sir Archibald was the third and posthumous son of sir Alexander Macdonald, seventh baronet of Nova Scotia, by Margaret, fourth and youngest daughter of Alexander, ninth earl of Eglinton. Archibald was brought up at Westminster School. He was admitted a King's scholar in 1760, and, in 1764, was elected a student of Christ Church, Oxford. Mr. Macdonald, soon after his admission at the University, entered himself of the Society of Lincoln's Inn; and in Michaelmas Term, 1770, was called to the bar. In 1777 he was elected M.P. for Hindon, Wilts, and in the same year he had the good fortune to win the affections of lady Louisa Levison, the eldest daughter of earl Gower, afterwards created marq. of Stafford. His marriage with this lady, whose father was not only ennobled by high rank, but distinguished by his high connexions and political power, laid the foundation of all Mr. Macdonald's future success in life. He had hitherto acquired but very little practice, and was possessed of no eminence in his profession. He had once or twice essayed his talents in parliament, but with no remarkable success; and, on a subsequent occasion, he betrayed a deplorable want of temper and judgment. In the debate, Dec. 6, 1779, on lord Upper Ossory's motion respecting the state of Ireland, Mr. Macdonald made a most violent attack on lord North. He accused him of being "lazy, indolent, and incapable, evasive, shuffling, cutting, and deceptions, plausible, artful, mean, insolent, confident, cowardly, and a poor, pitiful, sneaking, snivelling, abject creature." Lord North, notwithstanding his usual patience and

good humour, was somewhat exasperated at this singular accumulation of reproach, and observed, "that the attack was the more extraordinary, as he had been hitherto favoured by the honourable gentleman's support since his entering into parliament." This quarrel was soon appeased; for, in two days afterwards, Mr. Macdonald and lord North exchanged mutual apologies, with professions of great respect for each other, Mr. Macdonald going so far as to say, "that his hasty expressions on the 6th were directly contrary to his real opinion, never having had any reason for entertaining such sentiments towards the noble lord, and that it was a natural infirmity, which suddenly hurried him sometimes to go beyond the limits of his judgment." It should be observed, in explanation of this strange scene, that lord Gower had a few days before declared against ministers in the House of Lords, having resigned the presidency of the council, for which act of hostility he had, in the debate on December 6, received some compliments from Mr. Fox. The difference, however, between lord Gower and lord North did not lead to any permanent estrangement; and lord Gower, though he did not return to office, supported generally the measures of administration, and with him his son-in-law, Mr. Macdonald. It is obvious, however, that an eloquence so little under the control of judgment was not likely to be very serviceable to its owner; and the probability is, that, if Mr. Macdonald had not become a member of the powerful family of earl Gower, he would have passed through life without the distinction of high office or judicial rank. But, backed by this high alliance, Mr. Macdonald, before the wedding-cake was consumed, attained the first high step in his profession by being honoured, in Hilary Term, 1778, with a silk-gown, and the rank of king's counsel. At the general election, in 1780, he was chosen, with Richard Vernon, esq. brother-in-law to earl Gower, to serve in parliament for Newcastle-under-Line, a borough then under the command of the Gower influence; and, in the same year, he received the appointment of one of the judges on the Carmarthen circuit. On the dissolution of the coalition administration in December, 1783, when Mr. Pitt, at the age of 25, assumed the helm of government as first



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lord of the Treasury, earl Gower returned to his old office of president of the council, and Mr. Macdonald was appointed to the place of solicitor-general. He succeeded to the attorney-generalship in 1788, when, by the promotion of sir Richard Pepper Arden to the Mastership of the Rolls, that office became vacant. He was then knighted, June 27, and re-elected for Newcastle-under-Line on a new writ; as he was again at the general election of 1790. During the period that Mr. Macdonald held the responsible situations of solicitor and attorney general, the times were remarkably quiet. In February 1793 he was promoted to the place of chief baron of the court of Exchequer, and sworn of the privy council. It did not, therefore, fall to his lot, as chief law officer of the crown, to conduct many state prosecutions, but in the few which the necessities of the times obliged him to institute, he was so uniformly successful, that he is said never to have lost a verdict. Although, from the high rank he held at the bar, his name was brought forward to the notice of the profession, yet sir Archibald never was in great business. He presented in the court of Chancery the singular spectacle of an attorney-general generally briefless. He presided in the court of Exchequer for twenty years; and, in 1813, from a sense of approaching infirmities, retired into the bosom of private life with a baronetcy. In private life sir Archibald was the life and soul of society. With an inexhaustible store of anecdote and humour, and prodigious talent for conversation, which he had improved by constant exercise, he enlivened and amused wherever he went. His surviving family are one son, now sir James Macdonald, bart. M.P. for Calne, and two daughters, Caroline-Margaret, and Caroline, wife of the rev. Thomas Randolph, rector of Hadham, Herts. Two other sons were Francis, R.N. who died June 28, 1804, and Levi-son, who died in Sept. 1792. Lady Louisa Macdonald survives her husband.

18. At Hammersmith, aged 85, J. Ramsden, esq.

19. In Piccadilly, aged 14, lady Mary-Anne Primrose, second daughter of Archibald-John, present and fourth earl of Rosebery.

— At Boulogne-sur-Mer, the right hon. lord viscount Neville, eldest son of the earl of Abergavenny.

20. At his seat, Shrowton House, Dorset, aged 67, George Fred. Ryves, esq. rear-admiral of the Blue.

23. At Vienna, aged 23, Chas.-Thos. viscount Ingestrie. His lordship, who had been travelling on the continent for nearly two years, was taking his usual ride in the Prater at Vienna. Passing under a tree, his hat was caught by a bough, and falling upon the spirited animal which carried him, terrified the creature so much as to cause him to start off at full speed; nor did he stop until he had plunged himself and his rider into a pit or quagmire, in which they were both suffocated. His lordship was born July 11, 1802, the eldest son of Charles-Chetwynd, second and present earl Talbot, by Frances-Thomasine, eldest daughter of Charles Lambart, of Bean Park in Ireland, esq. and niece of James first lord Sherburne.

24. At his seat at Marton, near Bridlington, aged 80, Ralph Creyke, esq. a deputy-lieutenant of the East and West Ridings of Yorkshire. He was the oldest magistrate of the East Riding, to which he was qualified in 1778; and many years chairman of the East Riding sessions.

26. At the Manor House, Great Durnford, Wilts, aged 72, Mrs. Louisa-Margaret Harris, daughter of the late celebrated author of "Hermes," sister to the late, and aunt to the present earl of Malmesbury.

— At St. Petersburg, in her 38th year, Ellen viscountess Strangford, the lady of H. M. ambassador at that court.

27. At Bath, in her 70th year, the right hon. Catherine countess De la Warr, widow of John Richard fourth and late earl De la Warr, and daughter of Henry Lyell, esq. of Bourn, Cambridgeshire. She was mother of the present earl, and of two daughters, one of whom is the wife of lieutenant-colonel Darcy, R. A.; and the other died an infant.

— In Manchester-square, aged 42, the right hon. lady Charlotte-Anne, wife of sir Charles Lemon, second and present baronet of Carclew, Cornwall. She was the fourth daughter of Henry Thomas, second and late earl of Ilchester, by Mary-Theresa, daugh. of Standish Grady, esq. of Capperpullin, county of Limerick.

30. Aged 19, right hon. lady Louisa Boyle, daughter of the earl of Cork and Orrery.



## DEATHS.—JUNE.

31. At the house of David Ker, esq. M. P. at Battersea, aged 74, lady Eliz. Pratt, daughter of the late and sister to the present lord Camden.

## JUNE.

1. Aged 17, Frances, youngest daughter of the late sir Wm. Blackett, bart. of Matfen Hall, Northumberland.

3. J. T. Bland, esq. of Huthwaite House, near Barnsley, Yorkshire.

— At the Tauridan palace, St. Petersburg, in the midst of his labours, aged 60, Nicholas Michaelovitch Karamsin, historiographer of the Russian empire, councillor of state, grand cordon of the order of St. Anne, knight of St. Vladimir, member of the Russian academy, &c. He was born Dec. 13, 1765, of a noble family, in the government of Simbirsk, studied with success, and made his debut in the career of letters, while still a young man, by publishing poems, which indicated a lively and brilliant imagination. At the age of 24, he undertook a voyage to Germany, Switzerland, France, and England. He was in Paris at the commencement of the revolution, and was in habits of intimacy with the principal literary men of that epoch. Germany, which enjoyed at that time a state of calm and tranquillity, offered also many individuals, whose society was of advantage to him in adding to his information, and developing his talents. In Switzerland he saw frequently the celebrated Bonnet, author of "*Palingenesie*," "*La Contemplation de la Nature*," and of several other works in philosophy and natural history, which Karamsin purposed to translate. Upon his return to Russia, he published the "*Letters of a Russian Traveller*," in four volumes, a work which the public received with great enthusiasm. These letters went through several editions, and were immediately translated into German and English. His "*Historical Recollections upon the Road from Moscow to Troitza*" (an ancient monastery in the neighbourhood of Moscow), his "*Martha, the Possadnitza,\* or the Surrender of Novogorod*," an historical novel, and a great number of other productions of the first rank, prove that he had perfected Russian prose, and given it a charm not to be found in any preced-

ing writer. He was afterwards the editor of several journals—the *Courier of Europe* (which he began, and which is now conducted by Katchenovsky), the *Aonides*, *Aglaia*, &c. However, he soon renounced works of imagination for a much more serious task. The emperor Alexander named him historiographer of the empire, and requested him to write the *History of Russia*. After more than fourteen years of research and assiduous application, Karamsin published the first eight volumes of his excellent history, which produced the most lively sensation, not only in Russia, but throughout all Europe. Three thousand copies of the first edition were sold in the space of twenty-eight days. The emperor printed it at his own expense, and further granted to the author divers honours, with a present of fifty thousand rubles. This production, distinguished both by elegant simplicity of style, and a lucid arrangement of the materials, which it had cost the author so many years of assiduous labour to collect, has already been translated into French and German. The first of these translations is said to be miserably incorrect; the second faithful, but ill-written. This illustrious writer enjoyed the confidence of Alexander, and had access at all times to that prince, who sometimes visited the historian to have recourse to his information. Wise and moderate in so illustrious a station, Karamsin constantly refused all the places offered him by the emperor; even that of minister of public instruction did not allure him; his intention being to consecrate his whole life to the completion of his important work. The emperor Nicholas also loaded him with favours; but he did not enjoy them long. An abscess had formed in his breast, and in the hope of finding relief in a better climate, he was upon the point of embarking, but it was his lot to die in his native country. It was on the 22nd of May (of the Russian calendar) that he expired, and on the 13th of the same month he had received from Nicholas a very flattering letter accompanied by an Ukase, in which his majesty granted to Karamsin an annual pension of 5,000 rubles (1,120*l.*), to descend to his wife, and after her to his children.

— Mr. William Hamilton Reid. He was the son of persons occupying no higher station than that of domestics in

\* *Possadnitza* means, wife of the *Possadnik* or chief magistrate.



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the duke of Hamilton's family. In his early childhood he lost his father, and his mother, after struggling a few years with poverty, sunk to the grave, and left her only child an unprotected orphan. He had previously, through the duke of Hamilton's interest, been placed in St. James's parochial school, where he received the first rudiments of education. He was subsequently apprenticed to a silver-buckle-maker near Soho, and from that period he commenced his literary studies. All his pocket-money was expended in books, and, after a long day of severe labour, half the short period allotted for his repose was frequently spent in reading, particularly history and poetry. Mr. Law's writings fell in his way, and he was long bewildered in the labyrinths of mystical divinity. After the expiration of his apprenticeship he supported himself by working at his trade, occasionally writing various poetic trifles, which, by the advice of some friends, he sent for insertion to the papers and magazines of the day, receiving praise, and in some instances pecuniary remuneration, he was encouraged in his literary career, and he next turned his attention to the acquirement of the French language. Soon afterwards he undertook to supply various light articles to a daily paper; and, quitting his trade, which, from the change of fashion, was no longer productive, he supported himself respectably by the labours of his pen. Having procured an engagement as French translator to a daily paper, he successively mastered the Italian, Spanish, and German tongues, without receiving a single lesson or assistance of any kind, except from books. He now extended his engagement to the translation of the whole of these languages, and in a very short time the Portuguese was added. This employment necessarily confined him at home to await the arrival of the different mails. To fill up these intervals of leisure he commenced the study of the learned languages; the Greek and Hebrew he read so as to consult any author he wished to examine, and the Latin he could read and translate with accuracy. When the Post office refused to supply the newspapers with the foreign journals, except in their own translations, he was deprived of his employment. He soon afterwards proposed to publish a volume of poems by subscription; they were accordingly col-

lected, but were not published. He now produced his first prose volume, entitled "The Rise and Dissolution of the Infidel Societies." This work, and some communications which he made to government, when shortly after engaged as editor of a daily paper, procured him the notice of Mr. Canning, and of the then bishops of London and Durham. From the former gentleman he received a present of five pounds: all that, in the form of patronage, he ever received. The bishop of London made him an offer of ordination in the church, which his objection to subscribe to the articles of faith, induced him to refuse. He now turned his mind to the study of topography, biography, and general literature. London and its antiquities afforded him ample scope for investigation. A great mass of information which he had thus collected and designed to form a volume, remains in the hands of the present writer. In the latter end of 1810, about a year and a half after his marriage, pecuniary losses induced him to apply to the Literary Fund, and he then received a handsome donation. His literary labours were afterwards more successful, and, though he had a large family, his circumstances remained comfortable till within the last year or two of his life, when he again applied to the Literary Fund, and was again relieved from his difficulties.

3. In Lower Brook-street, aged 21, the right hon. Arthur-Henry Carleton, second baron Dorchester, co. Oxon. His lordship was born at Madras, Feb. 20, 1805, the only son of the hon. lieutenant-col. Christopher Carleton (third son of Guy, the first lord), who died by assassination in 1806, at the age of 30. His mother was Priscilla-Martha, daughter of William Belford, esq. who was drowned with her only daughter (then aged 20), when the sir William Curtis packet was lost at Ostend in 1815. His lordship succeeded his grandfather, Nov. 18, 1808. He was educated at the school of the rev. Weeden Butler at Chelsea, and afterwards at Winchester. He died unmarried, and is succeeded in his title by his first cousin Guy (now in his fifteenth year), son of the hon. lieutenant-col. George Carleton, slain at the storming of Bergen-op-Zoom in 1814.

5. At the house of sir George Smart, in Great Portland-street, in his 40th year, the celebrated musical composer,



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Carl Maria Freyherr Von Weber. He was born Dec. 16, 1786, at Eutin, a small town in Holstein. His father gave him a most liberal education, and the son evinced an early predilection for the fine arts, particularly painting and music. The first regular instruction he received on the piano-forte, the instrument on which he has gained so high a reputation as a player, was from Heuschkel, at Hildburghausen, in 1796; and it is to this severe and learned master that Weber owed his energy, distinctness, and execution. The more his father perceived the gradual development of his talents, the more anxious he was to sacrifice every thing to their cultivation. He therefore took his son to the famous Michael Haydn, at Salzburg. In 1798 he published his first work, six fugues in four parts, which are remarkable for their purity and correctness, and received the praise of the *Musikalische Zeitung*. At the end of that year, Weber went to Munich, where he was taught singing by Valesi, and composition, as well as the piano-forte, by Kalcher. To him he was indebted for a full knowledge of the theory of music, and for a skilful and ready use of all the means it furnishes to the composer. Weber now began to apply himself to one particular branch of the art, in preference to the rest—the operatic music. Under the eyes of his master he wrote an opera, “*Die Macht der Liebe und des Weins*” (The Power of Love and Wine), a mass, and several other pieces; but all these were subsequently destroyed. Soon after this, Weber entertained an idea of rivalling Sennefelder, of lithographic celebrity; and he went so far as to say that the invention was his, and that he used machines more adapted to the purpose. In order to pursue his plan on a grand scale, he removed with his father to Freyberg in Saxony, where the best materials were most conveniently at hand. With the tediousness of so mechanical a business, however, he was soon tired; and the young speculator resumed, with redoubled vigour, his study of composition. While only fourteen, he wrote the opera “*Das Waldmädchen*” (The Girl of the Wood), which was first performed in 1800, and received with great applause at Vienna, Prague, and St. Petersburg. An article in the *Musikalische Zeitung* excited in the young composer the idea of writing in an en-

tirely new style, and of reviving the use of the ancient musical instruments. With this view he composed, in 1801, at Salzburg, the opera “*Peter Schmoll and his Neighbours*.” Although it met with little success on its performance, it was highly praised by Haydn. During one of his many professional travels with his father, in 1802, to Leipsic, Hamburg, and Holstein, his principal occupation was, to collect and study all works on the theory of music; and entertaining doubts as to the correctness of most of them, he commenced studying harmony once more, from its very elements, with a view of constructing an entire new system of music. His analysis of Sebastian Bach’s “*Vogler, 12 Choräle*,” is a work of great research and much utility. Soon after this he was left entirely to himself in the great musical world of Vienna, in the midst of Haydn, Vogler, Stadler, &c. Instead of being drawn away from his art by the innumerable amusements of so gay a city, he was for a considerable period more deeply engaged than ever in studying with the Abbé Vogler. During all this time, only two of his works, if they merit that name, appeared in print, a set of variations, and Vogler’s opera “*Samori*,” arranged for the piano-forte. Having completed his musical education at Vienna, he was called to Breslau in the character of maestro di capella. As he had to form here an entirely new orchestra and corps of singers, he was furnished with a very favourable opportunity to improve himself in the knowledge of effect. While at Breslau he composed the opera of “*Rübelzahl, or Number Nip*,” of which the famed mountain spirit furnished the subject. The commencement of the great Prussian war in 1806 obliging him to quit Breslau, he removed to Carlsruhe. There he wrote two symphonies, several concertos, and various pieces for wind instruments. He also published at this time an edition of his opera, “*The Maid of the Wood*,” under the title of “*Silvana*,” a cantata, “*Der erste Ton*,” some overtures for a grand orchestra, and many solo pieces for the piano-forte. In 1810 he made a successful tour to Frankfort, Munich, and Berlin; and on his return, once more assisted by the experience and knowledge of Vogler (who had then two other young artists of great talent with him, Meyerbeer and Gausbacher), he composed the opera



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“Aban Hassan” at Darmstadt. From 1813 to 1816 Weber was the director of the opera at Prague, which he organized anew; and, while there, he wrote his great cantata, “Kampf und Sieg,” a most imposing composition; and a melodrama, entitled “Preciosa,” or the Gipsy Girl. After the object of his visit to Prague was fulfilled, he once more travelled without any permanent appointment. Though he received the most handsome offers from all parts of Germany, he did not accept of any until he was called to Dresden, for the purpose of forming a German opera. This appointment he held until his death. His celebrated opera of “Der Freischutz” was produced at Berlin, June 21, 1821; and in November, 1823, his “Euryanthe” was performed at Vienna, but did not succeed. Der Freischutz first appeared in an English dress at the English Opera House, in the summer of 1824, when its success was such as to induce the managers of Covent Garden and Drury Lane theatres to bring it out at their respective houses in the ensuing winter. With some slight alterations in the story, and aided by the most magnificent scenery, the popularity of “Der Freischutz” was unequalled, and led to an invitation to its author to visit England, and to compose an opera expressly for the English stage. The offer was accepted, and he fulfilled his engagement by the production of “Oberon,” which was first performed at Covent Garden on the 12th of May in the present year. His health was evidently much impaired previously to his arrival in England; and, during his residence in this country, it became gradually worse, until the 3rd of June, when his disorder, a pulmonary affection of long standing, received so sudden and violent an accession, as to preclude all hope of recovery. On the morning of Monday, June 5, he was found dead upon his pillow, his head resting upon his hand, as though he had passed from life without a struggle. The following Wednesday, June 7, had been fixed upon for an attempt to re-visit his native country. Weber is understood to have left but one work in manuscript of any importance, a production which was to be entitled “Kuntsler Leben,” upon which he had been employed several years. It consists of a narrative of the principal events of his life, with observations on great musical works, and

on the most eminent of ancient and modern composers. He was the author of many articles in the Leipsic Musical Gazette, and also in the Abendzeitung, an evening paper of Dresden. He has left a widow and two children.

5. In Verulam-buildings, Gray’s-inn, James Bradby, esq. This gentleman was born about 1774, of respectable parents. His father was a grocer, resident on Snow-hill, and died before the subject of this sketch was born. His maternal grandfather held the situation of registrar to the society for the encouragement of arts, manufactures, and commerce. The mother of Mr. Bradby, a sensible but rather singular woman, received for a drawing of flowers one of the first gold medals presented by this institution. She paid every attention to the education of her only son, and he was early placed at an academy at Bow, kept by a Mr. French, and from him he went to an eminent attorney, to whom he was articled; but “too proud,” as he has often expressed himself, “to become the porter between the counsel and the client,” he remained some time without practising the law, passing his time chiefly among the French literati at that time banished by the Revolution; and endeavouring to improve his mind by general application. During this interregnum, lounging by chance in a coffee-room, he met with a friend whom he had not seen for twelve years, and who was about to sail for the West-Indies. He reproached Bradby for thus wasting his fine talents in idleness, advised him to study for the bar, and gave him a letter to a friend of his, Mr. Thompson, a special pleader, Bradby then entered himself of Lincoln’s-Inn. Mr. Thompson soon after retired from the profession in consequence of ill health and an accession of fortune; and he relinquished his chambers and his business to Mr. B., who gave up the bar, to which he had at first directed his attention, and became a special pleader. Mr. Bradby was a man of general information, and high intellectual powers, and an excellent linguist. He was the author of a “Treatise on the Law of Distresses,” 1808, 8vo.

6. In Jersey, Andrew Fitzherbert Andrew Evans, esq. rear-admiral of the Blue. This officer was made a lieutenant, Dec. 1, 1789; and on May 4, 1796, when commanding the Spencer sloop of war, captured, after a brisk action off



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Bermuda, la Volcan, a French corvette of 12 guns, pierced for 16, and 95 men. His post commission bears date April 15, 1796; and from that period until the peace of 1801, he commanded the Porcupine of 24 guns, on the Halifax and Jamaica stations. We subsequently find him in the *Æolus* frigate, and Vanguard 74, employed in the blockade off St. Domingo, and various other services. Towards the close of 1810, he was removed from the superintendence of the Stapleton dépôt for prisoners of war, to be a resident commissioner of the navy at Bermuda, where he had a broad pendant flying on board the Ruby 64, in 1816 and 1817.

6. At Richmond, aged 46, Louisa-Isabella, wife of John Payne, esq. and eldest daughter of the right hon. Hugh Elliot.

7. William-Davies Shipley, the son of Jonathan, afterwards bishop of St. Asaph, and Anna-Maria Mordaunt, a niece of the earl of Peterborough. He was born at Midgham in Berkshire, on Saturday, the 5th of October, 1745, O. S. At an early age he was sent to Westminster-school; but, upon the appointment of his father, in 1760, to the deanery of Winchester, he was removed to the college there, from whence he went to Oxford in 1763, and was admitted a student of Christ Church, of which society his father had been a canon some few years before. Here he took the degree of M. A. in 1770, and soon afterward, viz. in 1771, was collated by his father (then bishop of St. Asaph) to the vicarage of Wrexham, Denbighshire. From that time, he resided in Wales. Upon the death of Dr. Herring, in 1774, he succeeded to the deanery of St. Asaph, and, about the same time, to the office of chancellor of the diocese. In 1777, he married Penelope, the eldest daughter and co-heiress of Ellis Yonge, of Brynyorken, esq. and Penelope his wife, daughter of col. James-Russell Stapleton, of the Guards, and of Grey's Court in Oxfordshire. Sir William Jones, who not long afterward, viz. in 1783, became the dean's brother-in-law, by his marriage with Anna-Maria, the eldest daughter of the bishop of St. Asaph, published about the close of the American war a little piece on the subject of government, entitled "A Dialogue between a Gentleman and a Farmer." The dean of St. Asaph republished it in Wales, upon which he was indicted for a libel by a political

adversary; but the ostensible prosecutor was William Jones, the present marshal of the King's-bench prison, at that time a Welch attorney. The prosecutor, after twice bringing the cause for trial into the Welch court, suddenly removed it by certiorari to Shrewsbury. When it came there to a hearing before Mr. Justice Buller, the jury were inclined to negative the charge of libel, and refused to give a general verdict against the dean. In this celebrated trial the real question was, whether or not the matter was libellous; and the single point in debate, whether or not the jury were to decide upon it. For the prosecution it was contended that they were not; and the judge, in summing up, inculcated the same doctrine, which, indeed, at that period, was generally current in the courts. The jury, however, gave a verdict, by which they found the publishing only, evidently meaning that they found nothing libellous in the matter; but this verdict not satisfying the judge, it was altered, by the suggestion of the prosecutor's counsel (Mr. Bearcroft), and given according to his dictation in these words, guilty of publishing, but whether a libel or not we do not find. The case was then brought up for judgment into the King's-bench, when that court, discovering a flaw in some part of the proceedings, quashed the whole. Such was the termination of that long-protracted case: but it led to that alteration which was made some years afterwards in the law of libel; we allude to the statute, which, in cases of libel, authorises the jury to decide upon the law as well as the fact. The statute did not pass without great repugnance on the part of the lawyers. Lords Thurlow and Kenyon thought fit to enter their protest against it. Another remarkable circumstance that attended the case was this: while the dean was under prosecution for a publication of the pretended libel, the author was appointed a Judge of the Supreme Court of Judicature at Calcutta. Sir William Jones, who was too intrepid and open an assertor of the rights of Englishmen to wish for any concealment, wrote a letter to lord Kenyon, at that time chief-justice of Chester, avowing himself to be the author of the piece in question, and maintaining that every position in it was strictly conformable to the laws and constitution of England. The dean had eight



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children: viz., five sons and three daughters. He survived four of his sons, who died in the prime of manhood. Of these the third was capt. Conway Shipley, R.N. who fell in a gallant but unsuccessful attempt to cut an enemy's ship out of the Tagus; and to whom a monument was erected on the banks of that river by the officers of sir Charles Cotton's fleet. His youngest daughter was married to the right rev. Reginald Heber, bishop of Calcutta.

8. Lady Pretyman Tomline, lady of the bishop of Winchester.

9. Johann Gaspard Friedrich Manso, rector and first professor of the Gymnasium at St. Mary Magdalen, at Breslaw. Manso was born at Zelle, in the Duchy of Gotha, 26th March, 1759: after passing some time at the Gymnasium at Gotha, he proceeded to the university of Jena, where, during five years, he applied himself to theology, philology, and philosophy. On his return to Gotha, he established himself as a teacher, and afterwards became professor at the Gymnasium. In 1790 he was invited to Breslaw as procurator, and three years afterwards obtained the appointment he held till his death. As a writer Manso distinguished himself by classical purity of taste, and has given to the world many esteemed poetical translations, and original productions. Among the former are the *Georgics*, *Bion* and *Moschus*, the *Oedipus* of *Sophocles*, and the *Jerusalem Delivered*, which last was never completed. His principal prose works consist of *Essays on Subjects of Ancient Mythology*; *Sparta*, an *Essay on the History and Constitution of that State*; the *Life of Constantine*; and the *Ostrogoths in Italy*.

13. In Farm-street, Berkeley-square, Annabella, widow of count gen. James Lockhart, of Lee and Carnwarth, Scotland.

— In his 83rd year, the rev. William Davy, vicar of Winkleigh, Devon, to which benefice he had lately been preferred, as a reward for his defence of the leading doctrines of the Church, in a work lately published, being an abridgment compiled from 26 volumes of *Divinity*, which he had printed with his own hands, at a press of his own constructing. Mr. Davy received the first rudiments of his education at the Exeter Free Grammar School; and, on returning from College, obtained Priest's Or-

ders. He early commenced the compilation of a "*System of Divinity*," which he published in 1786, in six volumes. This was spoken of in the different reviews with considerable praise, but failed in bringing the author into the notice he deserved, as he still remained curate of the small parish of Lustleigh, with a yearly stipend of 30*l.*; and although the work was encouraged by a long list of subscribers' names, the actual receipts were far less than the expenses. His active and persevering mind, however, could not be deterred by small obstacles, and he continued to gather, from every source he could by any means command, fresh matter to extend his work, which in 1795 had increased to 26 volumes. Anxious that his labour should not be in vain, and unable to risk a second loss, he proceeded by a mode the most singular that was ever attempted. He constructed a press himself, purchased some old types at a cheap rate, and in five months, by his own manual labour, produced 40 copies of a specimen, consisting of 328 pages, besides prefatory matter; twenty-six of the copies he distributed to such persons as he thought the most likely to appreciate his labours, and assist him in the publication of the whole work. Not receiving, however, the encouragement he ought, and having 14 copies remaining, he recommenced his labours; and having taught a female domestic to compose the types, he proceeded, with her assistance, to print 14 copies of the remaining 25 volumes, which Herculean task he completed in 1807. The largest part of these were also distributed where he conceived they might be likely to excite attention; but still his labours, as far as regarded himself, were in vain. No discouragement, however, could check his perseverance, and he began a volume of extracts from his large work, on the "*Being of God, Divinity of Christ, the Personality and Divinity of the Holy Ghost, and on the Sacred Trinity*," with improvements and additions. Of this he also printed a few copies, which he presented to eminent literary characters. Still little else but praise was gained; but though nearly in his 80th year, he made such additions to this latter volume, that in 1825 he found it sufficient to fill two octavo volumes. Being then in his 82nd year, he resigned the task of printing into other hands, and a neat edition was pub-



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lished, which procured for the author the living of Winkleigh. But this reward, though highly gratifying to his feelings, came too late to add to his comforts, for he enjoyed it only a few months. In mechanics, he was a considerable proficient; and after the sinking of the Royal George in Portsmouth Harbour, he proceeded there with the plan of a diving bell, to recover the property sunk in her, and his plan was afterwards acted on with considerable success.

16. At Paris, aged 63, M. Pierre Edouard Lemontey. He was born at Lyons, Jan. 14, 1763, and was educated for the bar, where, notwithstanding his want of a good delivery, he distinguished himself by his character and talents, and the zeal with which he devoted himself to questions of political and public interest. At the commencement of the revolution, he published many pieces, in which he defended the rights of the Protestants to have a voice in the election of members to the *Etats-Generaux*; and also called upon the government to direct its attention to the deplorable and neglected state of agriculture. He filled, at this period, several public situations, in which he manifested the excellence of his intentions, but incurred great personal risks from the troubles of the times; and after having seen the greater part of his family perish during the siege of Lyons, he was obliged to go to Switzerland, in order to escape becoming the victim of a peace more bloody than the war. He did not venture to return to Lyons until 1795. Having at length seen the revolutionary storm subside, he removed to Paris, for the purpose of dedicating himself to literary pursuits. Under the consulship, he was appointed censor of plays; and in 1814, obtained the office of censor royal, which he held until his death, although the emolument arising from it was of no importance to him, as his fortune was considerable, and his habits even parsimonious. As a man of letters, he distinguished himself no less than in his political capacity. In 1785 and 1788, he obtained two prizes at the academy of Marseilles, for his *Eloges* on Fabry de Peyresc and captain Cook. His opera of Palma, brought out at the theatre Feydeau, in 1798, obtained considerable popularity. He produced a collection of tales, under the whimsical title of “Raison, Folie, chacun son

Mot;” in which he very happily combined satire with philosophy. Among his various minor publications, that entitled “Les Trois Visites de M. Bruno au Faubourg St. Antoine,” excited much attention. His two little romances, “Irons-nous à Paris?” and “Thibault, ou la Naissance d’un Comte de Champagne,”—the former, on the occasion of Napoleon’s coronation, and written in imitation of Sterne; the latter, after the manner of Ariosto, and relating to the birth of the king of Rome,—have survived the temporary interest of the events that gave them birth. At length he abandoned fictitious composition for more serious studies, applying his pen to subjects of historical research. In this new career he distinguished himself by his “*Essai sur l’Etablissement Monarchique de Louis XIV. Introduction d’une Histoire Critique de la France, depuis la Mort de Louis XIV.*” —a work which obtained for him his reception into the Academie Française, where he was admitted on the 17th June, 1819, succeeding to the Abbé Morellet. Among the minor productions of Lemontey are several biographical articles in the *Galerie Française*, and some in the *Revue Encyclopédique*. Those on De Thou, Retz, Colbert, the duchess de Longueville, Chaulieu, Helvetius, Madame Clairon, Lecouvreur, &c. are remarkable for the ability with which they are written. A discourse, “*Sur la Précision considérée dans le Style, les Langues, les Pantomimes*,” was read by him at the annual reciting of the four academies, April 24th, 1824. His last production was an Eloge on Vicq d’Azyr, the celebrated physician, which he read at the academy, Aug. 25, 1825.

17. At Aldwick, sir Thomas Brooke Pechell, bart. He was a major-general in the army, and late M. P. for Downton. He was born in Jan. 1753, and succeeded his father, sir Paul 13th Jan. 1800. On the death of his mother, in the same year, he obtained his majesty’s licence to prefix the surname of Brooke to that of Pechell, agreeably to her will. He married, April 1783, the daughter of sir John Clavering, and had issue three sons and two daughters.

— At Hawnes, in Bedfordshire, aged 90, the right hon. Henry Frederick Thynne Carteret, baron Carteret of Hawnes, high bailiff of Jersey, and D. C. L. His lordship was born Nov.



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17, 1735, the second son of Thomas Thynne, second viscount Weymouth, by his second wife Louisa Carteret, daughter of John first earl Granville. He was educated at St. John's college, Cambridge, where he took the degree of M. A. 1753; D. C. L. 1769. On the death of his uncle Robert, second and last earl Granville in 1776, he took the name and arms of Carteret by act of parliament; and was advanced to the dignity of baron, Jan. 17, 1784, with remainder to the second, third, fourth, and every other son of his elder and only brother Thomas, first marquis of Bath. He is succeeded by his nephew, lord George Thynne, the second son, and next brother to the present marquis of Bath.

21. In Stratford-place, major-general Robert Haldane, C. B. in the service of the East India Company.

— Aged 27, Charlotte-Frederica Mary, eldest daughter of sir Robert Wilson, M. P.

22. At Bayswater, in his 46th year. Wm. Evans, esq. of Baker-street, Portman-square, and superintendant of the Baggage department, East India-house.

25. At Kensington (where she had long resided), aged 81, the once-celebrated comedian, Mrs. Mattocks. She was born about 1745. Her father, Mr. Hallam, was manager of Goodman's Fields theatre; her mother was related to Beard, the famous singer; and her brother was the manager of a theatrical company in America. In a dispute with Macklin, the celebrated Shylock, at a rehearsal, her father received so severe a wound in the eye from a walking-stick, that he died on the spot. Macklin was tried at the Old Bailey, but acquitted, the blow being deemed the effect of sudden passion. Receiving a superior education, Miss Hallam adopted the stage as a profession. All her early appearances were in singing characters; and she was the first Louisa in "The Duenna." She occasionally attempted tragedy, but with little success; study and observation, however, induced her to attempt the sprightly parts of low comedy, &c.; and in these she succeeded, and became a great favourite. Miss Hallam stood thus high in the estimation of the public, when Mr. Mattocks, of the same theatre, paid his addresses to her. He was a vocal performer, and a respectable actor. A mutual attach-

ment appears to have ensued; and to avoid the opposition of the lady's parents, the lovers took a trip to France, and were married. The union, however, was not a happy one. Still, notwithstanding various disagreements, when Mr. Mattocks, some years afterwards, became manager of the Liverpool theatre, his wife performed there all the principal characters. The speculation proving unfortunate, Mrs. Mattocks re-engaged herself at Covent Garden, where she held an uninterrupted engagement as an actress of first-rate celebrity in her walk, until her final retirement from the stage, now more than twenty years ago. Mrs. Mattocks possessed a good stage face and figure; and her broad stare, her formal deportment, her coarse comic voice, and her high colouring, enabled her to give peculiar effect to the characters in which she excelled. In the delivery of the ludicrous epilogues of the late Miles Peter Andrews, which always required dashing spirit and the imitation of vulgar manners, she was eminently successful. She is understood to have been a great favourite of her late majesty, Queen Charlotte. She left one daughter, the widow of Mr. Hewson, a barrister.

25. At Mitcham-grove, the countess Minuzzi.

— In Upper Gower-street, aged 45, Samuel March Phillipps, esq. second son of Thomas March, esq. formerly of More Critchell, county of Dorset; and who, in 1796, assumed the name of March Phillipps, and removed to Garendon Park, Leicestershire. Mr. Samuel Phillipps was born July 14, 1780; and was bred to the law, in which profession he eminently distinguished himself. He was recorder of Grantham, and author of "A Treatise on the Law of Evidence," 8vo, 1814.

26. At Paris, M. Jean Thomas Thiebault, an architect of considerable talent and reputation. He was born in the department of the Upper Marne, Nov. 20, 1757. A long residence at Rome, where he sedulously studied the remains of antiquity, contributed much towards that correct taste which, combined with simplicity and propriety, he displayed in his works. The palaces of Neuilly, Malmaison, and Bourbon Elysée, are indebted to him for many beautiful embellishments. He was invited to Holland, where he was commissioned to



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repair the Stadt-house of Amsterdam, the palace of the Hague, and other edifices. M. Thiebault has left an important work on Perspective, which he was preparing for publication at the time of his death.

27. At Wells, aged 84, John Holloway, esq. admiral of the Red. Admiral Holloway was a native of Wells. He entered the navy in 1760, on board the *Antelope*, of 50 guns, capt. Webb; and in 1761 sailed in her to Newfoundland, with captain (the late lord) Graves, governor of the island. Mr. Holloway then served for two years under sir Hugh Palliser, and also, with a view of promotion, embarked with admiral Durell; but, that officer dying soon after his arrival in America, the deceased was, in 1768, taken under the patronage of commodore (afterwards viscount) Hood, in the *Romney*. Mr. Holloway was made lieutenant in 1771; and appointed to the *Marlborough* of 74 guns, a guard-ship at Portsmouth, commanded by captain Hood. On the breaking out of the American war he removed into the *Perseus* frigate, capt. G. K. Elphinstone, afterwards viscount Keith. The *Perseus* was an active ship, and lieut. Holloway remained in her one year. He was subsequently received by commodore (afterwards lord) Hotham, on board the *Preston* of 50 guns, and was first lieutenant of that ship in 1778, when attached to earl Howe's squadron in America. Towards the latter end of the same year, commodore Hotham was sent to Barbadoes, with a reinforcement for rear-admiral Barrington's squadron, and having under his escort a body of 5,000 troops for the reduction of St. Lucia. A short time after the conquest of that island, lieut. Holloway removed with his patron into the *Vengeance*, of 74 guns; but soon left that ship to join the *Princess Royal*, a second rate, bearing the flag of admiral Parker, who made him a commander. He was advanced to the rank of post captain, Jan. 23, 1780; and on that occasion returned to the *Vengeance*, still carrying the broad pendant of commodore Hotham; in which ship he was present at the different encounters between sir G. B. Rodney and M. de Guichen, in the ensuing spring. The *Vengeance* sailed for England in the spring of 1781 with another line-of-battle ship, and three frigates, as convoy to a fleet of thirty-four ships,

richly laden, and chiefly Dutch, which had been captured at St. Eustatia; and, on the 2nd of May, falling in with a French squadron of six sail of the line, besides frigates, under the command of M. de la Mothe Piquet, the utmost skill and dexterity were necessary to effect an escape. Owing, however, to the judicious measures which commodore Hotham immediately adopted, and to the able assistance of captain Holloway, he preserved his own squadron, and saved the greater part of the merchant vessels; the remainder, of considerable value, fell into the hands of the enemy. On the 29th of June, the *Vengeance* arrived at Spithead, and was put out of commission. After a short relaxation from the fatigues of service, captain Holloway was appointed to the *Cambridge*, of 80 guns, and went off the *Texel* with lord Howe. He was next removed into the *Buffalo*, of 60 guns, attached to the fleet under the same admiral, which on the 11th Sept. 1782, sailed for the relief of Gibraltar. On the 11th Oct. the convoy entered the Gut; but the wind blowing strong from W.N.W. only four of the transports, under the care of the *Latona* frigate, reached their destined anchorage that day; the rest passed into the Mediterranean. The combined fleets of France and Spain, consisting of eighty sail of pendants, standing out of the bay, on the 13th lord Howe, then off Marbella, ordered captain Holloway to take the store ships under his protection, and proceed with them to the Zaffarine isles, or L'Oriston, in Sardinia, in case he should be driven past cape Tres Forcas, and to use his own judgment for bringing them back to relieve the besieged fortress. Two days after the *Buffalo* had parted from the British fleet, she fell in with four of the enemy's ships, that had come out of Malaga to join the combined fleets, and narrowly escaped being captured by them. One vessel was taken at midnight, not a mile from the *Buffalo*; but from the darkness of the night, and being close to the Barbary coast, the rest escaped. Captain Holloway then resolved to remain in that situation until the wind should become fair. On the fifth or sixth day, he again came in sight of the British at anchor. When lord Howe was informed that the *Buffalo* and her charge were approaching, and was congratulated by captain lord Gower on the event, he replied,



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“The captain of the *Buffalo* has done his duty.” On captain Holloway’s return to England, he was appointed to the *Vigilant*; but, peace taking place soon after, that vessel was paid off, and he continued without any other command for a considerable time. At length he was appointed to the *Solebay* frigate, and proceeded to the Leeward Islands, where he served under the orders of lord Nelson, at that time captain of the *Boreas*, between whom and captain Holloway a friendship soon commenced, which was ever afterwards maintained. During the Spanish and Russian armaments, in 1790 and 1791, captain Holloway commanded the *Princess Royal* of 98 guns, bearing the flag of his former patron, vice-admiral Hotham; and, at the commencement of the war with France in 1793, when that officer went to the Mediterranean as second in command under lord Hood, captain Holloway accompanied him in the *Britannia*, of 100 guns. When lord Hood returned to England, towards the close of 1794, admiral Hotham succeeded him in the chief command, and appointed his long-tryed friend captain of the fleet. During the period of admiral Hotham’s command, two engagements took place with the French fleet. The first was on March 14, 1795; the second, on July 13 following. For these services, admiral Hotham was raised to the dignity of an Irish peer; and at the end of the year returned to England. Subsequently to this latter event, captain Holloway was appointed to the *Duke*, a second rate, and from her removed into the *St. George* of 98 guns, attached to the Channel fleet. He commanded the former ship during the alarming mutiny that raged among the crews of the ships at Spithead, in May 1797, and was one of the officers, who, from their strict adherence to discipline, were turned on shore by those malcontents. His services as a captain ended in the *St. George*. On the 14th Feb. 1799, he was advanced to the rank of rear-admiral, and it was not long before he hoisted his flag as assistant port-admiral at Portsmouth, where he continued until the suspension of hostilities in 1801. He was promoted to the rank of vice-admiral, April 23, 1804; and, about the same period, hoisted his flag in the *Downs*, under the orders of lord Keith. In 1807, he was constituted governor of Newfoundland, and commander-in-chief

on that station. He was raised to the rank of admiral of the Blue, Oct. 25, 1809; and admiral of the Red in 18... He married, previous to his departure from the West Indies, in 1781, a lady of Antigua, named Waldron, of an old English family. Of his children, one, a son, died on board the *Narcissus*, on his passage from Leghorn to Palermo. He was only thirteen years of age, four and a half of which he had actually served at sea, and was on board the *Venerable*, of 74 guns, captain Samuel Hood, in sir James Saumarez’s actions, July 6 and 13, 1801. The admiral’s eldest daughter is the lady of rear-admiral R. W. Otway. A good portrait of admiral Holloway was published in the *Naval Chronicle* in 1808.

28. In Bolton-street, Piccadilly, lady Georgina Grenfell, eldest daughter of the earl and countess of Sefton.

30. At her house, Green Park-place, Bath, aged 55, Mary, dowager countess of Kintore. She was daughter of sir Alexander Bannerman, of Kirkhill, bart.; was married to William, sixth and late earl of Kintore, June 18, 1793, and had issue, Anthony-Adrian, the present earl, two other sons, and one daughter.

— In Bedford-square, after a few days’ illness, aged 56, Joseph Butterworth, esq. formerly M. P. for Dover, and an unsuccessful candidate at the late election. He had been for many years an eminent law-bookseller in Fleet-street, and an influential member of the Methodist connexion.

Lately, In Pulteney-street, Bath, Dominick Geoffry Browne, esq. of Castle-Macgarret, county Mayo.

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1. At Chelsea, aged 41, sir Norborne Thompson, second baronet of Virhees, Sussex. He succeeded his father, vice-admiral sir Charles Thompson, M. P. for Monmouth, in 1803.

2. At Donnington, near Newbury, aged 67, lieutenant-col. Francis Sacheverell Stead.

4. At Ham-common, E. P. Meadows, esq. of Conholt Park, Wilts, and Charles-street, Berkeley-square, nephew of the late duke of Kingston.

— John Adams, esq. president of the United States, was born at Boston, in New England, in 1736. He was



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educated at Cambridge, for the law ; and so eminent were his attainments, that at an early age he was appointed chief justice of the state, but he declined the office. When the second attempt at taxation was made by the mother country in 1767, numerous meetings of the inhabitants of Boston took place ; at which Mr. Adams, with Mr. Hancock, and Mr. Sam. Adams, was very active in supporting the cause of independence. In 1770 Mr. Adams was returned as a representative for Boston. In the course of the same year an affray took place, in which the English soldiers fired upon the populace, three of whom were killed. Mr. Adams, notwithstanding his known political attachments, was retained as counsel for the soldiers ; and, in conjunction with Mr. Quincy, he conducted the defence ably and successfully. He was afterwards equally successful in his defence of captain Preston. In 1774 he was elected a member of the Council ; but the election was negatived by governor Gage, from the part which he had taken in politics. By this time Mr. Adams had sacrificed his profession, and become altogether a public character. From 1770 till 1776, he was engaged in all the measures which were adopted in defiance of the English parliament. In 1774, when the colonies determined to hold a congress at Philadelphia, he was elected, with Mr. Samuel Adams, Mr. Cushing, and Mr. Treat Paine, to represent the province of Massachusetts Bay. He was also one of the representatives of this province in the second congress. In the memorable discussions of 1776, Mr. Adams and Mr. Dickenson took distinguished parts ; the former for, the latter against, the declaration of independence. The original motion, by a member from Virginia, is said to have been made at his suggestion : he seconded it, and supported it by such arguments, as greatly contributed to its success. By the committee who were appointed to consider the subject of a separation from the mother country, Mr. Jefferson and Mr. Adams, (the former, it is understood, through the influence of the latter), were appointed a sub-committee to frame a declaration of independence. The draft of the report was prepared by Mr. Jefferson. From this period until the peace, Mr. Adams was employed in the same cause. On the capture by the English of Mr. Lau-

rens, who had been sent as ambassador to Holland, Mr. Adams was despatched in his room, and was admitted as minister plenipotentiary to the States. He succeeded also in procuring a loan, and in concluding treaties of amity and commerce. He was subsequently nominated, in conjunction with Dr. Franklin, Mr. Jay, and Mr. Laurens, commissioners for negotiating a peace with Great Britain. He joined his colleagues at Paris, and the preliminaries of peace were soon adjusted. He had the credit of insisting on an acknowledgment of independence previous to treating, and of securing the debt due to British subjects before the war. Soon after the signature of the treaty, Mr. Adams had the honour to be appointed minister plenipotentiary from the United States to the king of Great Britain. On the adoption of the constitution, in 1789, he was elected first vice-president of the United States ; during the whole period of the presidency of Washington he filled the office of vice-president, and he was uniformly consulted by the president on all important questions. On the death of Washington, Mr. Adams was elected his successor. He may be considered to have been then at the head of the federalists, but at a subsequent period of his life he joined the republican ranks. During the administration of Mr. Adams, party spirit raged without restraint. As president, he had at least too much of the semblance of independence to be warmly supported by either party. At all events, his character was not a simple one. The countenance of the American government under Washington, throughout all its foreign negotiations and domestic administration, was erect, and natural, very strong, simple, and grave. But under Mr. Adams, although it appeared loftier and more imposing, and attracted more attention, it had a sort of theatrical look, and was, in reality, much less formidable. At the expiration of Mr. Adams's term, Mr. Jefferson, the candidate of the republican party, received four votes more than his predecessor ; and Mr. Adams in consequence retired to the enjoyments of private life at his seat in Quincy. So satisfied, however, were those who had been politically opposed to him, of his merits and services, that he was selected by the republicans of Massachusetts as their candidate for governor, on the death of governor Sullivan, but he



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declined the proffered honour. He was one of the electors, and president, of the electoral college, when Mr. Monroe was elected president of the United States. As a speaker, Mr. Adams was warm and eloquent; and as a writer, he possessed considerable power. In 1787, he published, in three volumes, 8vo, "A Defence of the Constitution and Government of the United States," and a new edition of that work appeared in 1794, under the title of "History of the Principal Republics in the World." Mr. Adams had been some time in a state of declining health. On the morning of his death, he is said to have been aroused by the sound of the public rejoicings; he inquired the cause of the salutes, and being told that it was the 4th of July, he answered, "It is a great and glorious day." These are said to have been his last words. About noon he became very ill, grew gradually worse, and at six p. m. expired. His remains were some days afterwards deposited in the family tomb at Quincy, with every token of veneration, respect, and affection.

4. Thomas Jefferson, esq. ex-president of the United States. He was born April 2, 1743, according to some accounts, in the county of Albemarle, Virginia, at Shadwell, a country seat which now belongs to his grandson, within a short distance of Monticello, and within half a mile of his Rivannah mills; but, according to others, in Chesterfield county. His family were amongst the earliest emigrants of Virginia; of which colony his grandfather, Thomas Jefferson, was a native. His father, Peter Jefferson, was commissioned with col. Fry to determine the boundary line between Virginia and North Carolina, in the year 1747. Mr. Jefferson was educated in America, from which he was never absent till he went to Paris in the capacity of envoy. He received the highest honours at the college of William and Mary; and studied law under the celebrated George Wythe, late chancellor of Virginia. He applied himself closely to the study of geometry, geography, natural history, and astronomy; and he was devotedly attached to literature and the fine arts. When he came of age, in 1764, he was put into the nomination of justices of the county in which he lived; at the first election following he became one of its representatives in the legislature, and before he

had attained his 25th year, he was a distinguished member of the Virginia assembly, taking an active part in all the measures adopted in opposition to the English government. In 1775, he is said to have been the author of the Protest against the Propositions of lord North. From the assembly of Virginia he was sent to the old congress, which brought about the revolution, and was there distinguished by the warmth of his sentiments and the energy of his compositions. He was afterwards employed from 1777 to 1779 with Mr. Pendleton and Mr. Wythe in the revisal and reduction to a single code of the whole body of the English statutes, the acts of the Virginia assembly, and certain parts of the common law. In 1780 (succeeding Patrick Henry, the successor of lord Dunmore), he was elected governor of Virginia, an office which he held during the whole of the revolutionary war. Much difference of opinion occurred respecting his conduct as governor, at the time of the invasion of Virginia by Cornwallis and Arnold; but, as he received the thanks of his fellow-citizens, it must be presumed that by them, at least, it was deemed satisfactory. In 1783 he was employed in drawing up a constitution for Virginia. He was nominated ambassador to Spain, but his destination was subsequently changed to France. There, obtaining the confidence of Vergennes and Calonne, he obtained many concessions in favour of American commerce. From France he came over to England, went back to Versailles, and returned to America in 1789, rendering to Mr. Jay, the minister for foreign affairs, a satisfactory account of his negotiations. Shortly after his return, he was appointed secretary of state to the new government. Soon after, the House of Representatives directed him to form a plan for reducing the currency, weights, and measures, to one standard; and subsequently he was also employed to draw up a report respecting the fisheries. Early in 1794 he resigned his office as secretary of state, and retired to his seat at Monticello. From that period he was regarded as the chief of the opposition. After remaining some time in retirement, he was, in 1797, called on to fill the vice-president's chair, under Mr. Adams, and, on the expiration of that gentleman's term, in 1801, elected his successor. In 1805 he was re-



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elected; and, in his first message to the Senate and House of Representatives, he developed his project of improvement in the public administration. In 1807, in consequence of the differences which arose between the governments of Great Britain and the United States, he called a meeting extraordinary of the congress, and submitted to them his plan for defending the country. To preserve the shipping and commerce of America from the cruisers of France and England, he laid an embargo on all the ports of the United States, until the danger was over. When his second term of presidentship had nearly expired, he was solicited by the assembly of Pennsylvania to accept the office a third time. This, however, he resolutely refused—was succeeded by Mr. Maddison—and, like his friend Washington, retired to private life. “He was,” it has been said, “undoubtedly a man of more genius than either of his predecessors. His talent was finer, but not so strong. He was a scholar and a philosopher, full of theory and hypothesis. And what was the character of his administration? Was it not wholly given up to theory and hypothesis, experiment and trial? He turned the whole of the United States into a laboratory, a workshop, a lecture-room; and kept the whole country in alarm with his demonstrations in political economy, legislation, mechanics, and government. Hence it is that, to this day, it is difficult to determine whether his administration, on the whole, was productive of great benefit or great evil to the American people. The most extraordinary changes, transmutations, and phenomena, were continually taking place before their eyes, but they were generally unintelligible; so that he left the country pretty much in the situation that his farm at Monticello is at this moment, altogether transformed from its natural state, altogether different from what it was when he took it in hand, a puzzle and a problem to the world.” Mr. Jefferson first appeared in print in 1774, when he published “A Summary View of the Rights of British America.” In 1781 appeared his “Notes on Virginia.” He has also written “Memoirs on the Fossil Bones found in America.” As an agriculturist he was active, and fond of experiment. He invented a new plough, or rather effected an improvement in the old one. At an

early age Mr. Jefferson married the daughter of Mr. Wright, an eminent barrister in Virginia. By her, who has been some years dead, he had four daughters, only one of whom, we believe, survives.

4. Thomas, the second earl of Chichester, his majesty’s post-master general. He was born at Spring Gardens on April 28, 1756, was about seven years at Westminster School, and finished his education at Clare Hall, Cambridge. His entrance on public life was as commander of the Sussex militia, in which situation lieut.-col. Pelham, by the urbanity of his manners, and his strict attention to the duties and discipline of the regiment, attracted and retained the regard of the leading families of the county. He was in 1780 elected to the House of Commons, and continued to be a representative of the county of Sussex for twenty-one years. He generally voted with the right hon Charles James Fox. In 1782 he became surveyor of the Ordnance, and in 1783 attended the earl of Northington to Ireland as chief secretary; and held the same important office under the marquis Camden, during a period of peculiar difficulty and alarm, throughout the whole of the rebellion of 1798. On the formation of Mr. Addington’s administration in 1801, the hon. T. Pelham was called up to the House of Lords, with the title of baron Pelham; was appointed Secretary of State for the Home Department, and conducted the police of the country at that critical period with moderation, attention, and rectitude. In 1803, he exchanged his office in the ministry for the less fatiguing charge of chancellor of the duchy of Lancaster. In Jan. 1805, on the demise of his father, he succeeded to the earldom of Chichester, and the estates appended to that title. In 1807, on the formation of the duke of Portland’s administration, he was appointed joint post-master general with the earl of Sandwich. On the reduction of this office, the earl of Chichester alone held the appointment during the remainder of his life.

5. Sir T. S. Raffles. He was born on board the ship *Ann*, at sea, off the harbour of port Morant, in the island of Jamaica, on the 6th of July, 1781. His father, Benjamin Raffles, was one of the oldest captains in the West-India trade, from the port of London. Sir S. received his education principally under Dr.



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Anderson, who presided over a respectable academy at Hammersmith. He was incited to the study of the Malay, and other languages of the Eastern Archipelago, by the late lamented Dr. Leyden, with whom he formed a friendship which terminated only when that eminent scholar expired at Batavia in the arms of his friend. Sir S. R. was twice married. His first wife proceeded with him to India, and died during his residence in Java. His second matrimonial connection was with Sophia, the daughter of J. Watson Hull, esq. late of Great Baddow, in Essex. Of four children, the fruits of these two unions, he had the misfortune to lose three during his residence at Sumatra, who, together with many of his personal friends, fell victims to the climate. When he came to England in 1816, he brought with him the Ráden Ranar Dipúra, a Javanese prince, with his suite; and a more splendid and extensive collection of specimens of the productions, costume, &c. of the Eastern Archipelago, than had ever before been received in a British port. The reception which he met in England must have been highly gratifying to him. He had the pleasure to see that his services were there appreciated by the public, while, from persons of all ranks and classes of society, he received the most flattering marks of kind and respectful attention. While walking in St. James's-street, within a few months after his return to England, he had a slight attack of apoplexy, the effect of which made an evident impression on his constitution. The following is a copy of the report made to the family of the late sir T. S. Raffles by sir Everard Home of the result of the examination as to the immediate cause of his death:—"On inspecting the body of the late Sir Stamford Raffles in the evening of the 5th of July, 1826, the following morbid appearances were observed: Upon removing the cranium, the anterior part of the right frontal bone was twice the thickness of the left; this must be imputed to the effects of the sun in India, since it is a common occurrence in those who have resided long in hot climates. The outer covering of the brain was in a highly inflamed state, which had been of long continuance, from the thickness of the coats of the vessels. In one part, immediately upon the sinciput, this vasculosity exceeded any thing I had ever seen. In

the right ventricle of the brain there was a coagulum of the size of a pullet's egg, and a quantity of bloody serum escaped, which measured six ounces. This extravasation of blood, which had been almost instantaneous, was the cause of immediate death, so far as the faculties of the brain are concerned. In the other viscera of the body there was no appearance connected with disease.

"(Signed) EVERARD HOME"

5. Karl Friedrich Staudlin, professor of theology, Gottingen; author of a "History of Scepticism," and numerous other works, and one of the most esteemed theological writers in Germany of the present day. He was born at Stuttgard, July 25th, 1761.

6. At his house in the New-road, opposite the Regent's-park, aged 75, John Farquhar, esq. owner of Fonthill Abbey. He had taken an airing in his carriage on the preceding day, had returned home about seven in the evening, and retired to rest between ten and eleven. When the servant took breakfast to him in his bedroom, at eight in the morning, as was his custom, he was found a lifeless corpse. His death (occasioned by apoplexy) had taken place some hours before, and apparently without a struggle, the eyes and mouth being closed, and the countenance tranquil. He was born in Aberdeen, in 1751, and went early to India as a cadet in the Bombay establishment, where he was a chum of the late general Kerr. While at Bombay he received a dangerous wound in the hip, which caused lameness, and affected his health so much, that he was recommended to remove to Bengal. He left the military service, and became a free merchant. His mind was ever occupied in study, and chemical research was his favourite pursuit: from its practical application the foundation of his immense fortune was laid. There was some defect in the mode of manufacturing gunpowder in the interior at Pultah, and Mr. Farquhar was selected by lord Cornwallis, then governor-general, to give his assistance. By degrees he got the management of the concern, and finally became the sole contractor with the government. In this way, wealth and distinction rapidly poured in upon him, and he attained the particular favour and confidence of the late Warren Hastings. In Bengal he was remarkable for the closeness of his application, unabating perseverance,



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and extraordinary mental vigour, and also for the habits of penuriousness, which, in a great degree, adhered to him to the end of his life. After years of labour, he came home from India, with a fortune estimated at half a million of money, the principal part of which was invested, through Mr. Hoare, in the funds, at the rate of 55½ per cent consols. On landing at Gravesend, Mr. F. got on the outside of the coach to London, and his first visit very naturally was to his banker. Covered with dust and dirt, with clothes not worth a guinea, he presented himself at the counter, and asked to see Mr. Hoare. The clerks disregarded his application, and he was suffered to wait in the cash-office as a petitioner, until Mr. Hoare, passing through it, after some explanation, recognized his Indian customer, the man whom he expected to see with a nabob's pomp. Mr. Farquhar requested 25% and took his leave. He settled in Upper Baker-street, where his house was to be distinguished by its dingy appearance and uncleared windows. An old woman was his sole attendant, and his apartment, to which a brush or broom was never applied, was kept sacred even from her care. Books and papers were strewed on the floor. He became a partner in the agency house of Basset, Farquhar, and Co., and also purchased the late Mr. Whitbread's share in the brewery. Part of his wealth was devoted to the purchase of estates, but the great bulk was invested in stock, and suffered to increase on the principle of compound interest. Every half year he regularly drew his dividends, his mercantile profits and his rents, and purchased in the funds. In this manner his wealth accumulated. In the summer of 1822, when the public curiosity was highly excited by the offer of Mr. Beckford's seat of Fonthill Abbey, Mr. Farquhar became the purchaser at the sum of 330,000%. Mr. Farquhar occasionally resided in the abbey, sometimes visited by his relations, till the fall of the tower in last December. The remaining wing of the older mansion Mr. Farquhar converted into a woollen manufactory. Slovenly in his dress, and disagreeable at his meals, he was yet courteous and affable in his manners. He was deeply read in the classics. In the sciences, as a mathematician, chemist, and mechanic, he greatly excelled. He was diminutive in

person, and by no means prepossessing in appearance; and his domestic expenditure, until lately, had not exceeded 200% a-year. Mr. Farquhar died intestate, and his immense property will be divided between seven nephews and nieces, of whom are Mr. Fraser, a gentleman well known at the bar; his sister, the wife of sir William Pole; Mr. George Mortimer, a merchant in London; Mr. John Mortimer, and his sister residing in the neighbourhood of Aberdeen.

7. At the British Museum, after a long illness, Taylor Combe, esq. aged 52, director of the Society of Antiquaries, and keeper of the antiquities and coins at the British Museum. He was the eldest son of the late Charles Combe, M.D. F.R.S. F.S.A. who was long distinguished as a collector of medals, and died in 1817. Mr. Taylor Combe was named after the family of his mother, who was the only daughter of Henry Taylor, esq. He was educated at Harrow school, whence he was removed to Oriel College, Oxford, where he took the degree of M.A., July 10, 1798. He succeeded to an appointment in the British Museum, in 1803, upon the death of the rev. Richard Penneck, when he had the especial charge delivered to him of the cabinet of coins, and, in 1807, was placed at the head of the new department of antiquities. In 1808 he married Elizabeth, youngest daughter of the late Dr. Edward Whitaker Gray. Mr. Combe was elected F.S.A. in 1796; and became director of that society on the resignation of Matthew Raper, esq. in 1813. He was chosen F.R.S. in 1806, and was elected secretary to that learned body in 1812; he filled that office twelve years, and was then compelled to resign it on account of ill health. Mr. Combe showed an early partiality for the investigation of classical antiquities; and has not left behind him his equal in the knowledge of the Greek and Roman coins, nor his superior in British and Saxon coins. Thirty-three of the plates of Mr. Ruding's *Annals of Coinage*, containing the British and Anglo-Saxon coins, were engraven under Mr. Combe's direction, and were originally intended by him for a separate publication, a purpose which he afterwards gave up. Upon the completion of the building, and final arrangement of the Terra-Cottas and Marbles of the Townley Gallery, the trustees of the British



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Museum called Mr. Combe's valuable services in aid to describe the stores with which that collection had enriched them. Accordingly in 1811 his "Description of the Terra-Cottas," was published, with engravings from drawings by his friend and brother-officer, W. Alexander, esq. royal 4to. In 1812, Part I. of his "Description of the Collection of Ancient Marbles," containing those in the second room of the Gallery of Antiquities. In 1815, Part II. In 1818, Part III.; and in 1820, Part IV. The last Part was confined exclusively to the Description of the Sculptures which adorned the Temple of Apollo Epicurius on Mount Cotyion, near the ancient City of Phigalia in Arcadia: and in consequence of the death of Mr. Alexander, the drawings for it were prepared by Henry Corbould, esq. In the interval between the publication of the first and second portions of the Description of the Museum Marbles, Mr. Combe made and carried through the press a catalogue of the Greek coins in the Museum, entitled "*Veterum Populorum et Regum Nummi qui in Museo Britannico adservantur*," 4to, London, 1814. It was prepared upon the plan of his father's Description of Dr. Hunter's Coins, the manuscript of a supplement to which, by Mr. Combe, was destroyed in 1819 in Bensley's second fire. The catalogue of the Greek coins in the Museum was accompanied by thirteen plates of coins most accurately and exquisitely engraved, with two plates of monograms. Exclusively of these works in a larger form, Mr. Combe contributed the following short memoirs to the *Archæologia* of the Society of Antiquaries:—Observations on a Greek Sepulchral Monument in the possession of Dr. Garthshore; Observations on an ancient Symbol of Macedon; communicated a copy of Indenture between King Edward IV. and Lord Hastings, respecting the Coinage in the Tower of London; Explanation of a private Seal of Walter de Banham, sacrist of St. Edmund's Bury, in the reign of Henry I.; Remarks on the Greek Inscription at the British Museum brought from Rosetta; Description of a large Collection of Pennies of Henry II., discovered at Tealby, in Lincolnshire; Account of some Saxon Antiquities found near Lancaster; Remarks on a Coin of Basilis, a City in Arcadia; Account of Anglo-Saxon Pennies found at Dorking; communi-

cated Original Letters addressed to Col. Hammond, in 1648; Account of an Iron Axe found in Lincolnshire; exhibited a gold Ring found at Eltham. As director of the Society of Antiquaries, he superintended the publication of the latter portions of the *Vetusta Monumenta*; and as secretary of the Royal Society, edited the volumes of the philosophical transactions from 1812 to 1824. A Description of the Cinerary Urns in the Museum is preparing under the orders of the trustees for publication from his manuscript. He has also left behind him a complete catalogue of the Anglo-Saxon coins in the Museum, with some other catalogues prepared for the trustees.

7. At Berne, in Switzerland, aged 53, lieut.-gen. sir Manley Power, K.C.B. and K.T.S.

8. At Mareham-le-Fen, aged 74, Mr. James Roberts. In 1768, and the three following years, this gentleman accompanied sir Joseph Banks in the first voyage of capt. Cook round the world; and in 1772 he again accompanied sir Joseph in his voyage to Iceland.

9. In his 48th year, count Gregory Vladimirovich Orlov. This nobleman, who was not less distinguished for his patronage of, and attachment to, literature, than for his rank and birth, having been obliged to exchange his native climate for a milder one, resided several years in Italy, during which period he composed his "*Memoires Historiques, Politiques, et Littéraires sur le Royaume de Naples*," 1820; a work comprehending the entire history of Lower Italy, and marked by its liberal tone, and the independence of its opinions. This was succeeded in 1822 by his "*Histoire des Arts en Italie*;" of which the two first volumes relate to music, and the two latter to painting. He likewise published an account of his travels through part of France, 3 vols. 1823. It is to him too that the literary world is indebted for a translation of Krilov's Fables into French and Italian, by various writers; it being conducted under his auspices. Shortly before his death he had commenced a French translation of Karamsin's History of Russia—a task of no small magnitude, and one of which the accomplishment would have been the means of introducing to the notice of the rest of Europe, more happily than has hitherto been done, that noble monument of Russian literature.



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9. At Barnby Moor, Catharine lady Saltoun. She was a natural daughter of lord chancellor Thurlow; was married to Alexander George, present and sixteenth lord Saltoun, March 6, 1815, but had no issue.

12. At Oakley, lady Henrietta, wife of sir John Chetwode, fourth and present baronet of that place, and sister to the earl of Stamford and Warrington. She was the eldest daughter of George Harry, fifth and late earl, by Henrietta-Cavendish, second daughter of William, second duke of Portland, K.G.; was married to sir John Chetwode, Oct. 24, 1785, and had issue eight sons and seven daughters.

16. At Carmarthen, on his route to London, from his seat at Curraghmore, co. Waterford, the most noble Henry De-la-Poer Beresford, marquis of Waterford, earl of Tyrone, viscount Tyrone, baron De-la-Poer, originally by tenure and writ of summons, baron Beresford in Ireland, baron Tyrone of Haverfordwest in Great Britain, a knight of St. Patrick, governor of the county of Waterford, and premier marquis of Ireland. The marquis was born in 1772, and in 1805 married the lady Susan Hussey Carpenter, daughter and sole heiress of George, second earl of Tyrconnel, who survives him, and by whom he has left seven children. He is succeeded in his titles and estates by his eldest son, a minor.

— At Foxley, aged 72, lady Caroline, wife of Uvedale Price, esq.

18. At Westbourne, Miss Anguish, daughter of Thomas Anguish, esq. master in chancery, and sister to the duchess dowager of Leeds.

22. Louisa, wife of R. Jennings, esq. of Portland-place.

— William Green, esq. of Milbank-row, Westminster.

22. At Naples, aged 80, Joseph Piazzi, president of the Royal Society of Sciences in that city, and the discoverer of the planet Ceres. He was born in the Valteline, in 1746. He entered into the order of Theatines in 1764; and, after enjoying the Professorship of Astronomy at Malta, he was made Professor at Palermo, in 1781. In 1787, he made several observations in conjunction with Lalande, at the Parisian observatory; and afterwards he visited England, to purchase instruments. On his return to Sicily, in the winter of 1789, he superintended the construction of a magnifi-

cent observatory at Palermo; of which, and the valuable instruments it contains, he published a description. After the completion of that building, his time and attention were unremittingly engaged in astronomical researches. It was on the 1st of January, 1801, that he discovered the planet Ceres, which led to the discovery of Pallas, Juno, and Vesta. In 1814, he printed a catalogue of 7,500 stars, a work which gained for him the medal founded by Lalande. In 1816 he published at Milan the first volume of the "History of Sicilian Astronomy," and completed his "Elements of Astronomy." He had much distinguished himself of late years by his numerous observations, particularly of comets; and amongst his labours of a different character, may be mentioned that of his drawing up a Code of Weights and Measures for Sicily.

23. At the age of 113 years, Hugh Shaw. Till within the last eighteen months he every Saturday walked to Paisley and returned, walking altogether about seven miles. While he was able to go about, he had no other means of support than what he collected by begging from door to door.

25. At North Brixton, aged 60, of a cancer in the tongue, Robert Bell, esq. for many years principal proprietor and editor of the "Weekly Dispatch." In 1804 he published, in 8vo, "A Description of the Condition and Manners of the Peasantry of Ireland."

— At Chatham, aged 28, capt. Henry Robert Moorsom, of the sloop Jasper. He was son of vice-admiral sir Robert Moorsom, K.C.B. commander in chief of his Majesty's ships in the Medway, and brother of capt. Moorsom, of the Prince Regent.

— Aged 66, capt. James Moring, an elder brother of the Trinity House.

— At Weston, aged 72, sir George-Courtenay Throckmorton, sixth bart. of Coughton, Warw. He was the second surviving son of George Throckmorton, esq. (eldest married son of sir Robert the fourth bart.) and Anna-Maria, daughter of Wm. Paston, of Horton, Glouc. esq. He married, June 29, 1792, Catharine, only daughter of Thomas Stapleton, esq. of Carleton, county of York, but had no issue. In the same year, he took the name and arms of Courtenay, having inherited from his grandmother the estates of the Courtenays of Morland, county of Devon. He



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succeeded his brother sir John, the seventh bart. in the title and estates, in Jan. 1819; and is succeeded by his brother Charles.

28. In Marsham-street, Westminster, aged 40, John Morris, esq. late of the Audit-office.

— In Lincoln's-Inn, aged 33, Spencer R. J. Lewin, esq. commiss. of Bankrupts, eldest son of the rev. Spencer J. Lewin, of Ifield, Sussex.

29. At his house in Gough-square, aged 37, Mr. Thos. Byerley, editor of the Star newspaper, the Literary Chronicle, and the Mirror.

31. At Bromley-lodge, aged 75, Stewart Erskine, esq.

Lately, At Ripley, Derbyshire, Robert Devereux Fancourt, esq. admiral of the blue.

## AUGUST.

2. At his house in South-street, aged 73, the right hon. George Finch, eighth earl of Winchelsea, and fourth earl of Nottingham of his family, K. G. viscount Maidstone, lord lieutenant of Rutland, &c. F. R. S. and F. S. A. His lordship was born Nov. 4, 1752, and was the eldest son of the right hon. William Finch, formerly envoy to Sweden, Holland, &c. by his second wife, lady Charlotte Fermor, second daughter of Thos. first earl of Pomfret. The late earl succeeded to the family honours on the decease of his uncle Daniel, August 2, 1769. He was educated at Christ-Church, Oxford, where he was created M. A. July 4, 1771; and afterwards for some years travelled abroad. In Dec. 1777, he was appointed one of the lords of the bedchamber; and in 1804, Groom of the Stole, which office he held till the decease of his late Majesty, the duties of Comptroller of the Windsor establishment being involved in it. He was honoured with the Garter, January 17, 1805. In Parliament his lordship generally sided with ministers, and occasionally delivered his sentiments. His time, which was passed principally at his seat of Burley-on-the-Hill, in Rutlandshire, was in great measure devoted to agricultural pursuits. He kept a very large farm in his own hands; was a member of the Board of Agriculture, and was the author of a humane letter "On the Advantages of Cottagers renting Land." Having never been married, he is succeeded in his titles by his

cousin-german, George-William-Finch-Hatton, esq. eldest son of the hon. Edw. Finch-Hatton.

2. In his 68th year, William-Henry George, esq. of Jubilee Castle, near Gloucester.

— At New-Hall, aged 53; sir W. Gerard, bart. He succeeded his brother, sir Robert, Aug. 26, 1791; and the title now descends to his nephew; sir John Gerard.

3. At Berry-hill, near Taplow, capt. Wells, R. N. of Holme Wood, Hunts.

4. At the Grosvenor Hotel, lieutenant-col. John Otto Beyer.

5. At her mother's, in Chesterfield-street, May-fair, Hannah, lady of sir John-Saunders Sebright, seventh bart. of Besford, Worc. and M.P. for Hertfordshire. She was the only daughter and heiress of Rich. Crofts, of West Harling, Norfolk, esq.; was married Aug. 6, 1793; and had issue one son and eight daughters.

6. At Belvidere, in Kent, in childhood, aged 31, Maria-Elizabeth, countess Gersdorf, only daughter of Gregory-William, present and tenth baron Say and Sele, and Maria-Marrow, eldest daughter and coheiress of Sampson, late lord Eardley.

7. At the London Assurance House, Birchin-lane, aged 62, John Laurence, esq. brother of his grace the archbishop of Cashell.

— At Brussels, aged 67, Thomas Wolley, esq. vice-admiral of the White.

8. At Greenhill, parish of Deskford, in his 104th year, Geo. Black: He was born at Glenbucket, Feb. 1, 1723, and bred a gardener. For the last 70 years he has been what, in the language of the country, is called "a pounce," to the late lord Findlater and his family.

9. At Cloyne-palace, aged 71, the right rev. Charles Mongan Warburton, D.D. lord bishop of Cloyne. Dr. Warburton's paternal name was Mongan. He was, it is said, the son of a poor road-way piper, in a little village in the North of Ireland. He was a Roman Catholic, and intended for that Church. On the Continent, whither he was sent to study in one of the institutions endowed for the education of Romish priests, before the building of Maynooth College, he was thrown by accident into the society of the Earl of Moira, and, having won his favour, was induced to change his destination to the Protestant Church. He was, after taking orders,



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appointed chaplain to a regiment in America, and there he married his first wife, a lady said to have been particularly recommended by lord Moira. That lady soon after dying, he married his second wife, who is now his widow. With her he changed his name to Warburton, and pursued the way to wealth and fortune—became dean of Ardagh, then bishop of Limerick in 1806, and of Cloyne in 1820.

11. Aged 41, Harriet, second wife of sir Gerard Noel Noel, bart. of Exton-park, Rutland; and daughter of the rev. Jos. Gill, vicar of Scraftoft, Leicestershire.

12. At Paris, aged 76, the hon. Basil Cochrane, brother of the earl of Dundonald. He was born April 22, 1753, and was the sixth son of Thomas, eighth earl, by his second wife Jane, eldest daughter of Archibald Stuart, of To-vience, county Lanark, esq. At the age of sixteen he was placed on the Madras Civil establishment; and he remained in the service of the East-India Company nearly forty years. Having accumulated a splendid fortune in India, he returned to England in May, 1807, and soon after purchased the barony of Auchterarder, county of Perth, and other estates. At his town-house in Portman-square, he erected vapour baths on a new plan and construction; and, in the hope that similar baths might be adapted to medical purposes, he published in 1809, a tract under the title of "An Improvement in the mode of Administering the Vapour-bath, and in the Apparatus connected with it." In the succeeding year this tract was followed by an Appendix. It was highly to the honour of Mr. Cochrane, that, almost immediately after his arrival in England, he paid numerous outstanding debts, mortgages, annuities, &c. of his brother, the earl, to a very large amount. When in India, his establishment was magnificent, and his hospitality unbounded. Mr. Cochrane was accustomed to expend large sums in acts of generosity and benevolence.

17. At Clifton, in her 84th year, Mrs. Irvina Maxwell, sister of the late sir David Maxwell, and aunt of the present sir David, of Cardoness, county of Gal-loway.

20. Aged 82, the right hon. lady Sarah, relict of the hon. colonel Geo. Napier, comptroller of army accounts in Ireland, sixth son of Francis, fifth lord

Napier, and great-uncle of William-John, the present and eighth lord. She was born Feb. 14, 1745, the seventh daughter of Charles, second duke of Lennox, by Sarah, daughter and co-heir of William, first earl Cadogan; and was probably the last surviving great-grand-daughter of king Charles the 2nd. On the 27th of August, 1781, she became the wife of colonel Napier, who died in 1804.

20. In Montague-street, Portman-square, aged 81, Mrs. Chambre, only sister of the late sir Alan Chambre.

26. At Benlomond-house, Downshire-hill, Hampstead, after a lingering illness, aged 59, the hon. Christopher Hely-Hutchinson, M.P. for Cork, and brother to the late and present earls of Donoughmore. He was born April 5, 1767, the fifth son of the right hon. John Hely-Hutchinson, Secretary of State in Ireland, and Christiana, baroness Donoughmore. Not bred to any profession, but devotedly attached to his brother the general, now earl of Donoughmore, he, without possessing any military command, or the remotest prospect of any appointment, accompanied him during sir Ralph Abercrombie's—or rather the Duke of York's—short but memorable campaign in Holland, in the early part of the Revolutionary war; and, with an unabated zeal highly honourable to the affliction of both brothers, he afterwards, in 1801, attended gen. Hutchinson to Egypt. From his serving merely as a volunteer in Holland, where he was made a supernumerary aid-de-camp to sir R. Abercrombie, and from his campaign in Egypt, Mr. Hutchinson had seen, before he was actually in the army, more real service than many of our generals. At the conclusion of hostilities, he was sent with despatches to Constantinople, where he was received with every mark of distinction. At length he entered into the army regularly, and having passed through the various gradations of rank, was promoted from the 112th regiment of foot to the rank of lieutenant-colonel in the army, Jan. 1, 1801. On the elevation of his brother, the general, to the Peerage, in the latter part of 1801, the deceased immediately offered himself, and was chosen his successor in the representation of the city of Cork, where their father had acquired considerable family interest. He was returned at every subsequent election, and had accordingly represented Cork in eight parliaments—all that have



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been summoned since the Union. Only two days before his death, he wrote or dictated an Address to the Electors of that city in favour of his son.

26. Aged about 66, count Giovanni Peradisi, of Reggio, a nobleman as distinguished by his taste in literature, as his profound mathematical knowledge. At the period of the political changes produced in Italy by the French revolution, he attached himself to Buonaparte, whom he regarded as the regenerator of his country. He was chosen one of the members of the Directory of the Cisalpine Republic, senator of the kingdom of Italy, president of the Senate, &c. &c. The power he thus enjoyed he exerted beneficially, and with moderation.

27. At the rev. Mr. Norman's, Duc Athanase Jean Léger Jourdan, advocate of the Cour Royale, Paris, who had come over to this country for the purpose of studying our colonial legislation. M. Jourdan was most devotedly attached to his profession, and to every branch of legal studies, and kept up an extensive correspondence with many learned jurists in Germany and Holland. When he learned that M. Mai had discovered some *palempsests*, containing Anti-Justinian texts, he entered into an arrangement with him to bring out an edition of these "Fragmenta Juris Romani" in France. It was too, under his auspices, that the celebrated Humboldt published his "Tabulæ Chronologicæ," one of the most useful works of that distinguished jurisconsult. M. Jourdan was born at St. Aubin des Chaumes, June 29th, 1791. He was author of "Relation du Concours ouvert à la Faculté de Droit de Paris, pour la chaire du Droit Romain," 2 vols. 8vo.; and in conjunction with two colleagues, published a collection of the Institutes of Gaius and Justinian, with the Sentences of Paul, and some fragments of Ulpian, under the title of "Juris Civilis Ecloga."

30. At his seat, Kelham, near Newark, the rev. Frederick Manners Sutton, nephew to his grace the archbishop of Canterbury, and head of that distinguished family. He was the third, but eldest surviving son of the late John Manners Sutton, esq. who died in Feb. last, and Anne Manners, natural daughter of the martial marquis of Granby.

31. At the Grove, Highgate, aged 60, John Raithby, esq. of Lincoln's-inn, barrister-at-law, commissioner of bankrupts, &c. He published, in 1798, "The

Study and Practice of the Law considered." He also published some pamphlets upon political and other subjects.

31. At East Moulsey, lieut.-col. Archibald Ross, K. T. S. He was appointed lieut. 20th foot, Sept. 3, 1803; captain, Sept. 5, 1805; of 17th dragoons, Dec. 26th following; of 19th dragoons, Feb. 18, 1808; of 91st foot, Sept. 12, 1811; brevet-major, June 20, 1813; and lieut.-col. in 1817. He served in the Peninsula, and in 1812 was attached to the Portuguese army, of which he commanded some light infantry at the battle of Vittoria. He received a medal upon that occasion.

Lately, George Augustus Lee. Initiated at an early period of life in the art of cotton-spinning, which was then beginning to feel the impulse of the inventions of sir Richard Arkwright, he gave to them, in the machinery constructed under his inspection, all the advantages of correct and excellent workmanship. But whatever partiality he had imbibed, from his earliest attempts, for the use of water as a moving power, he became, soon after the improvements of Mr. Watt, fully sensible of the advantages of the steam-engine. The steam-engines of Messrs. Philips and Lee exhibited the finest specimens of perfect mechanism, conducted upon a well-arranged system, and combining the essential requisites of regularity and constancy of motion with a studied and wisely-directed economy. Mr. Lee was the first to improve upon the fire-proof mills of Mr. William Strutt, by the employment of cast-iron beams; and he was also among the first to render the security still more complete, by employing steam for warming the mills in winter, and to enforce cleanliness, ventilation, and good order in the regulation of them. By his recommendation, the workmen raised among themselves a fund for mutual relief during sickness, and so great was the benefit derived from it as to make it appear, in evidence given before the House of Commons, that among a thousand work-people, whom the establishment comprised, not more than five pounds had been distributed throughout one year in the form of poor-rates. When the experiments of Mr. Murdoch, on the illuminating power of gas from coal, were made known to him in 1802, he was instantly struck with their importance, and after due



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consideration of the facts, he determined to light in this novel mode, at the expense of several thousand pounds, the large building which he had constructed in conjunction with his partners. The result of this experiment, all the details of which may be found in the Transactions of the Royal Society of London for 1808, decidedly established the utility of gas-lights, and led to their almost universal adoption in large manufactories. Mr. Lee was pre-eminently distinguished by the clearness, the sagacity, and the systematic connexion of the arrangements by which he conducted the great manufacturing establishments over which he presided, and by which he was enabled at any moment, to concentrate the results of all the operations, as well as to take a distinct view of any individual part. In his mercantile dealings, he was influenced by coolness and solidity of judgment, by a high sense of honour and probity, and by enlarged and comprehensive views of the general principles of commercial policy. He retired from active business, at a period of life when he had a reasonable prospect of enjoying for many years the resources of a well-stored, and still vigorous mind; but he was, ere long, attacked by a painful and lingering disease, which at length brought to a close his useful and honourable career. Mr. Lee was born in 1761, and was brother to Mrs. Sophia and Mrs. Harriet Lee, two ladies well known to the public by their *Canterbury Tales*, and other literary works. He married, in May, 1803, the youngest daughter of the late rev. John Ewart, of Traquhair. She died in 1812, leaving five children, three of whom still survive.

## SEPTEMBER.

4. At the house of Mrs. Verney, Middle Claydon, Bucks, general sir Harry Calvert, bart. G.C.B. and G.C.H. lieutenant-governor of Chelsea Hospital, and colonel of the 14th regiment of foot. Sir Harry was eldest son of the late Peter Calvert, esq. by Mary, daughter of Thomas Reeve, M.D. He was first cousin of John Calvert, esq. of Albury hall, Herts. He was appointed second lieutenant in the 23rd foot, April 24, 1778; and in March, 1779, embarked to join that corps in North America. He was appointed lieutenant, October 2, 1779, and embarked from New York

for the siege of Charlestown; he served during that siege and the ensuing campaigns, which terminated with the surrender of Charlestown, and was present at the different actions which occurred, with the exception of that of Camden. He obtained a company in November 23, 1785, but exchanged it for a lieutenantcy in the Coldstream guards, with the rank of captain, Feb. 19, 1790. In 1793 captain Calvert embarked with the brigade of guards for Holland, and was soon after appointed aide-de-camp to H. R. H. the duke of York, in which capacity he served during the years 1793 and 1794. He received the brevet of major, July 1, 1793; a company, with the rank of lieutenant-colonel, Dec. 25; was appointed deputy adjutant-general, April 29, 1796; colonel by brevet, Jan. 26, 1797; adjutant-general, Jan. 9, 1799; lieutenant-col. of the 63rd foot, Jan. 17; colonel of the 5th West-India regiment, Aug. 6, 1800; major-general, Sept. 25, 1803; colonel of the 14th foot, Feb. 8, 1806; lieutenant-general, July 25, 1810; and general in 1821. His services were further rewarded by the grand cross of the Bath, and his being appointed lieutenant-governor of Chelsea Hospital. He was created a baronet in 1818, and received the grand cross of the Guelphic order in 1825.

5. At her villa, near Florence, Anne, dowager countess Cowper. She was daughter of Francis Gore, of Southampton, esq.

6. In York-place, Portman-square, Elizabeth, wife of Lyndon Evelyn, esq.

7. Ann-Elizabeth, wife of Henry Williams, esq. of Turnham-green.

— At the palace, Lichfield, aged 75, sir Charles Oakeley, baronet, D. C. L. Sir Charles was born at Forton, in Staffordshire, Feb. 16, 1751, the second son of the rev. William Oakeley, M. A. of Baliol College, Oxford, rector of Forton, and of Holy Cross, Shrewsbury, by Christian, daughter of sir Patrick Strahan. He entered the civil service at Madras, as a writer, in 1766; in less than six years after that period, was appointed civil secretary, and, in the following year, military and political secretary to the government. After passing through these and other offices of high responsibility, Mr. Oakeley returned to England with the full intention of retiring altogether from public life. This intention, however, he was induced to abandon, at the earnest solicitation



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of Mr. Dundas, afterwards lord Melville, by whom he was recommended to the Court of Directors, for succession to the government of Madras, with which appointment he returned to India in 1790. The same year he was created a baronet by patent dated on the 5th of June. Sir Charles resigned the government of Madras to lord Hobart, in 1794. Sir Charles married, in 1777, Helena, only daughter of Robert Beatson, esq. of Killeric, Fifeshire, by whom he has had fourteen children. Ten of these survive him.

8. At Hampstead, William Francklin, esq. of Lincoln's-inn.

10. At Boulogne-sur-Mer, Ellinor, widow of Thomas Powell, esq. of Nantes, county of Cardigan, and only daughter of the late Edward Corbett, esq. of Yngsmaengwyn, county of Merioneth.

15. At Cheltenham, aged 64, the hon. Charlotte-Frances, relict of Anthony-Burlton Bennett, esq. sister to the two late, and aunt to the present, viscounts Galway. She was the second daughter of William the second viscount, by Eliz. only daughter of Joseph da Costa Villa Real, esq.; and was married Feb. 15, 1785, to Mr. Bennett, who died in 1800.

— At Lausanne, of an aneurism of the heart, aged 45, Frederica Dorothea, ex-queen of Sweden. She was daughter of Charles Louis, grand duke of Baden, by Amelia, of Hesse Darmstadt, and was consequently sister to the late, and niece to the present, grand duke. She was married to Gustavus IV, king of Sweden, who was dethroned by his uncle Charles XIII, in 1809, and subsequently repudiated the deceased in 1812. She was not, however, deserted by her family; for her son, prince Gustavus, her two daughters, the princesses Amelia and Cecilia, and her sister Caroline, the queen dowager of Bavaria, attended her in her last illness.

16. In his 68th year, shortly after his return from a scientific tour he had been making in Germany, Dr. Lauth, professor of anatomy and physiology at Strasburg, member of the Legion of Honour, and of various learned societies; and author of many esteemed publications.

— At her mother's, Great Ormond-street, Jane, second daughter of Richard Price, esq. formerly of Elstree.

— In Portland-square, Ann, wife of William Bushell, esq. and eldest daughter

of the late ald. Harley, of Shrewsbury.

18. At his seat, Gledhow, near Leeds, aged 83, sir John Beckett, bart. Sir John was born April 30, 1743, the son of John Beckett, of Barnsley, Yorkshire, esq. by his second wife Elizabeth, daughter of Joseph Wilson, esq. He was twice mayor of Leeds, and was created a baronet, Nov. 2, 1813.

19. In Gower-street, dowager lady Riggs Miller, widow of sir John Riggs Miller, bart. (father of the late baronet) and of sir Thomas Davenport, one of his majesty's serjeants at law.

22. At his seat, Gisburne Park, near Skipton in Craven, aged 73, the right hon. Thomas Lister, lord Ribblesdale, D. C. L. His lordship was born March 22, 1752, and was the only son of Thomas Lister, esq. M. P. for Clitheroe, by Beatrix, daughter of Jesop Hulton, esq. of Hulton Park, Lancashire. Having lost his father in 1761, when only nine years of age, he received his education at Westminster school, and was created M. A. of Brazen-nose college, Oxford, in 1772, and D. C. L. in 1773. No sooner had he arrived of age, than his uncle Nath. Lister, esq. who since his brother's death had represented the family borough of Clitheroe, accepted the Chiltern hundreds, to make room for the young heir, who was accordingly returned to parliament. He was re-elected at the three next general elections of 1774, 1780, and 1784. At that of 1790 he retired, having supported in the House of Commons the coalition administration. He had in the preceding year, 1789, married Rebecca, daughter of Joseph Fielding, esq. of Ireland. She died in 1816. During the American war, Mr. Lister raised, at his own expense, a regiment of horse for the use of government, called Lister's light dragoons, and afterwards, at the breaking out of the French Revolution, became colonel of the Craven legion of Yeomanry Cavalry, which commission he retained to his death. His late majesty raised him to the peerage, 26th October, 1797, by the title of baron Ribblesdale.

23. At his dwelling in the Rue St. Victor, Paris, the notorious Joseph Samson, the public executioner before and during the French Revolution. In 1790, Joseph instituted legal proceedings against the famous Gorsas, the editor of a newspaper, for a libel, and obtained a verdict; but his opponent



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possessing great political influence, found means to have him sent to prison, where he remained a considerable time. He recovered his liberty in August 1792. On the 21st of January following, he guillotined Louis XVI., and exhibiting the head of the monarch to the immense crowd that surrounded the scaffold, he exclaimed—"Behold the head of a traitor!" It is said that for the last twenty-five years he had enjoyed a pension from government, and that he led, at least for many years, an exemplary and religious life. He died at the age of sixty.

25. Aged 68, Mary-Pennyman, wife of Henry Ellison, esq. and grand-daughter of the late sir Warton Pennyman Warton, bart.

27. (O. S.) At St. Petersburg, of the typhus fever, Maria Fedorovna née princess Schérbatoff, lady of sir Robert Kerr Porter, his majesty's consul at Caraccas.

29. In the Canongate, Edinburgh, aged 111, John Macdonald. He served as a private in the 15th reg. of foot, for 14 years, and was discharged, on a pension, in 1749, in consequence of being wounded in both thighs. He walked about not many months previous to his death.

— Aged 66, Brownlow Bertie Mathew, esq. only son of the late general Mathew, by lady Jane Bertie, third daughter of Peregrine, second duke of Ancaster, and Jane, daughter and co-heir of sir John Brownlow, bart.

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1. At the Government-house, Dominica, aged 31, lieutenant John Ker, of the royal engineers.

— Giovanni Castinelli, a juris-consult and writer on subjects of jurisprudence. He was a native of Pisa, where he was born in 1788. Besides an "Essay on the Laws of the Romans, relative to Commerce," and some other works of the same kind, he wrote an "Abridgment of the History of the Republic of Pisa," "Memoir on the Drama," several articles in the "Antologia," &c.

— At Southampton, aged 76, major-general William Fawcett, governor of Limerick, and senior major-general in the army.

3. In Baker-street, William-Tower Smith, of the Bengal civil service.

3. In Exmouth-street, the wife of John Caley, esq. F. R. S. and S. A.

— At Hamburg, aged 62, Jens Emmanuel Baggesen, one of the most celebrated and spirited poets of Denmark. He was born Feb. 15, 1764, of parents by no means wealthy; received the first principles of education in a public school; and in 1784 was admitted a student in the University of Copenhagen. Two years afterwards he published a volume of tales in verse. This was followed in 1791 by a collection of poems, in two volumes, entitled "Works of my Youth," which met with very great success. He afterwards published many other fugitive pieces, both in prose and verse, but none are said to have surpassed his first productions; and unfortunately, he very early neglected his native tongue. He enriched the literature of Germany with several works, viz. "Poetical Varieties," Hamburg, 1803, 2 vols.; "The Parthenaid," Hamburg and Mayence, 1806; second edition, Amsterdam, 1807; "Heath Flowers," Amsterdam, 1808. The "Parthenaid" has been translated into French, by M. Fauriel. Baggesen twice filled the professor's chair in the Universities of Copenhagen and of Kiel, and was permitted to enjoy almost entirely the emoluments of these offices, although he did not perform their duties. Several persons of rank and fortune were liberal to him, and the wandering poet was thus enabled to pass a third of his life abroad, uncontrolled by the painful necessity of seeking a subsistence. Having for several years suffered under a very complicated malady, he flattered himself that the waters of Bohemia would effect his cure. To that country he accordingly repaired, but finding his end rapidly approaching, he was desirous of breathing his last in his native land, after an absence of eight years. This resolution was, however, formed too late: Baggesen could only reach Hamburg, where he died. His latest productions were, "Adam and Eve," a comic Epic, in twelve books, 1826; and an "Invocation to the Greeks in the cause of Liberty." A complete edition of his works will be published by his two sons.

7. Mr. Charles Connor, an eminent comedian of Covent Garden theatre. He died suddenly of aneurism of the heart, as he was crossing St. James's Park, on his way home to Pimlico. Mr.



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Connor was a native of Ireland. At a very early age he manifested a partiality for the stage; and, when but a child, he personated at school the character of Euphrasia, in the tragedy of the Grecian Daughter. At an early age he was placed under the tuition of a Mr. Farrel, who subsequently became a wine-merchant in Bristol. On his removal from that preceptor, he entered Trinity College, Dublin. About nineteen years ago he commenced actor, entered into an engagement with the Bath theatre, and opened, with tolerable success, in the character of Fitzharding, in the *Curfew*. He was also the original *Lothair*. On his removal from Bath, he travelled with a company through many parts of England, when he was offered an engagement at the Dublin theatre, where he remained, playing with good success, until about eleven years since; when Charles Matthews, then at Dublin, took friendly notice of him, and recommended him to Covent Garden theatre, where he came out on Sept. 18, 1816, as sir Patrick Macguire, in "*The Sleepwalker*." At Covent Garden, Mr. Connor played many other characters besides Irishmen, which, however, were, in every point, the best. His imitation was confined to no description of Irishmen; he represented the blundering gentleman and the blundering servant with equal truth and humour; and assumed the gay officer, who blunders with elegance, and the rustic who blunders with vulgarity, with the same ease and adaptation of manner. His performance of sir Lucius O'Trigger, in the *Rivals*, was an excellent specimen of the delicacy with which he mingled the restraint of the gentleman with the honest humour of the soldier, and of his skill in preserving our respect under those defects of dialect and speech, which generally give the actor a kind of familiar inferiority to his audience. To this more refined humour he presented an inimitable contrast in Dennis Bulgruddery, and Looney Mactwolter, characters undoubtedly marked with the strongest drollery.

8. At the Terrace, Kensington, Mrs. F. Nicolls, sister of the late E. Nicolls, esq. of Swithamley Park, Staffordshire.

9. At Burgate house, Mrs. Pocock, daughter of the late hon. T. W. Coventry, of North Cray Place, Kent.

— At Margate, Michael Kelly, the

dramatist, and author of the amusing "*Reminiscences*" published about a twelvemonth ago. He was born in Dublin about 1762. His father, an eminent wine-merchant in that city, was for several years master of the ceremonies at the Castle. At the age of seven, Michael evinced a strong passion for music; and, as his father was enabled to procure the best masters for him, amongst whom was Michael Arne, the son of Dr. Arne, he could, before he had reached his eleventh year, perform some of the most difficult sonatas then in fashion on the piano-forte. Rauzzini, when engaged to sing at the Rotunda at Dublin, gave him some lessons in singing; and it was on the suggestion of that gentleman, that his father was induced to send him to Naples for the cultivation of his musical talents. Accordingly, at the age of sixteen, he was sent thither, with strong recommendations from several persons in Ireland, to sir W. Hamilton, then British minister at the Neapolitan court. Sir William did him the honour of introducing him to the king and queen of Naples, and he was placed in the Conservatorio la Madonna della Loretto, where he received instruction from the celebrated composer Fineroli; afterwards he accompanied Aprilli, the first singing-master of his day, to Palermo. From the latter Kelly received the most valuable assistance, and was sent by him from Palermo to Leghorn, with high recommendations as his favourite pupil. From Leghorn he proceeded to Florence, where he was engaged as first tenor singer at the Teatro Nuovo. He next performed at Venice, and others of the Italian theatres, and subsequently at the court of Vienna, where he was honoured with the protection of the emperor Joseph II. He had also the good fortune to become the intimate friend of Mozart, and was one of the original performers in his *Nozze di Figaro*. In 1787 Kelly returned to England, where, in April that year, he made his first appearance at Drury-Lane theatre in the character of Lionel, in the opera of *Lionel and Clarissa*. Independently of many provincial engagements, in which he was often accompanied by Mrs. Crouch, he remained at Drury-Lane as first singer until he retired from the stage, and was several years musical director of that theatre. He was accustomed to sing at the king's ancient concerts, at Westminster Abbey,



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and at all the principal theatres and musical festivals in Britain; he was for several years principal tenor-singer at the King's theatre in the Haymarket, where he was stage-manager, a situation which he held nominally till the period of his death, and musical director at Colman's Haymarket theatre. It was on the death of his intimate friend, Stephen Storace, in 1797, that Kelly first became a composer, and, subsequently to that time, he composed and selected the music for nearly sixty dramatic pieces. He also composed numbers of Italian and English songs, duets, trios, &c. many of which are established favourites in the musical world. The following is a list of his compositions, &c. with their respective dates:—*A Friend in Need*, 1797; *Chimney-Corner*, 1797; *Castle Spectre*, 1797; *Last of the Family*, 1797; *Blue Beard*, 1798; *Captive of Spilsberg*, the comic music, the serious being by Dussek, 1798; *Aurelio and Miranda*, 1798; *Feudal Times*, 1799; *Pizarro*, 1799; *Of Age To-morrow*, 1800; *De Montford*, 1800; *Remorse*, 1801; *Gipsy Prince*, 1801; *Adelmorn*, 1801; *Algomah*, 1802; *House to be Sold*, 1802; *Urania*, 1802; *Hero of the North*, 1803; *Marriage Promise*, 1803; *Love Laughs at Locksmiths*, 1804; *Cinderella*, 1804; *Counterfeits*, 1804; *Deaf and Dumb*, 1804; *Hunter of the Alps*, 1804; *Land we live in*, 1804; *Honey-moon*, 1805; *Youth, Love, and Folly*, 1805; *Prior Claim*, 1805; *Forty Thieves*, 1806; *We Fly by Night*, 1806; *Royal Oak*, 1806; *Adrian and Orilla*, 1806; *Adelgitha*, 1807; *Town and Country*, 1807; *Time's a Tell-tale*, 1807; *Young Hussar*, 1807; *Wood-demon*, 1807; *Something to do*, 1808; *Jew of Mogador*, 1808; *Africans*, 1808; *Venoni*, 1808; *Foundling of the Forest*, 1809; *Fall of the Taranto*, 1809; *Britain's Jubilee*, 1809; *Gustavus Vasa*, 1810; *Humpo*, 1812; *Absent Apothecary*, 1813; *Polly*, 1813; *Russian*, 1813; *Nourjahad*, 1813; *Peasant Boy*, 1814; *Unknown Guest*, 1815; *Bride of Abydos*, 1818; *Abudah*, 1819; *Grand Ballet*, 1819.

9. At Upper Dunsforth, near Boroughbridge, Yorkshire, at a very advanced age, the rev. W. Jackson, formerly curate of Myton and Little Ousebourn, in that county, and a native of Kirby Stephen. About 35 years ago he purchased a small estate in the first-mentioned village, laid aside his clerical

office, and turned his attention to horticultural and farming pursuits; but sometime about the year 1793, he let his farm, and abruptly withdrew to the kingdom of Denmark, where he resided for many years, supporting himself by tuition, without drawing his rents, or corresponding with his friends. After having been long considered dead, he suddenly made his appearance about 1812, and, taking possession of his estate, resumed the cultivation of the soil. He had neither worn the dress of a minister, nor attended any place of worship for several years; his religious principles were those of a Freethinker.

9. In his convent, the famous monk of La Trappe, known under the name of the Trappist, a Guerilla chief, who, during the campaign of 1823, commanded in Catalonia and Castile a corps of 1,000 or 1,500 men. Brother Anthony, which was the name of the Trappist, died as he had lived, a bigotted enthusiast.

— At Southampton, aged 38, Charles Mills, esq. author of some historical works. He was born in 1788, the youngest son of the late Samuel Gillham Mills, a surgeon of eminence at Greenwich. He was intended by his father for the law, and articled to an attorney in Berner's-street, but quitted that profession in consequence of his love for literature. His first work, "*A History of Muhammedanism*," was published about 1817, and is said to have strongly attracted the attention of sir John Malcolm. A second edition was published in the following year. The next work of Mr. Mills, was "*The History of the Crusades*, undertaken for the recovery of the Holy Land; a view of the Latin States in Syria and Palestine; the Constitution and Laws of the Kingdom of Jerusalem; the military orders which sprang from the wars between the Christians and Muselmén, and the consequences of the Crusades upon the morals, literature, politics, and manners of Europe," 2 vols. 8vo. A few months after its appearance, accident led Mr. Mills to the study of Italian literature; the result of which was a work of fiction, in two vols. entitled "*The Travels of Theodore Ducas in various countries of Europe, on the revival of Letters and Arts*." The model upon which this book was formed, was the "*Travels of Anacharsis*;" but the public seemed to underrate Mr. Mills as a commentator



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on Italian literature, and accordingly, notwithstanding the splendor of particular passages, such as the criticism on Dante, and the account of an interview with Ariosto, the work was comparatively unsuccessful. For a year subsequent to its publication, Mr. Mills lay quietly on his oars, till invited by his publishers (Messrs. Longman and Co.) to undertake a History of Rome, from the earliest ages down to the reign of Augustus, at which period Gibbon's History commences. From some cause, however, the work was dropped; and Mr. Mills then directed his attention to his last and most popular work, the "History of Chivalry, or Knighthood and its Times."

13. In obscure lodgings in Dublin, Edward Hay, esq. late secretary to the Catholics of Ireland. He was entitled to considerable property; but an unfortunate contest between him and his brother, respecting the possession of it, threw the business into Chancery; from the delays in which court he became considerably embarrassed for many years previous to his death. He died in absolute want, unable even to procure medicines. The New Catholic Association gave 20*l.* towards defraying the expenses of his funeral.

14. At her father's house, in Park-street, Grosvenor-square, aged 21, Emma, eldest daughter of the hon. and rev. Wm. Beresford, brother of lord Decies, and lady Ann, daughter of the earl of Tankerville.

— At vice-adm. Donnelly's, Queen Ann-street, Portland-place, aged 47, Mrs. Donnelly.

18. At Tours, in France, aged 16, Eliz. Forbes, eldest remaining daughter of colonel K. Young.

19. At Paris, aged 60, Francis Joseph Talma, the celebrated tragedian. He was born in that city, Jan. 15, 1766. At ten he had to represent a character in tragedy at college, and, during the representation, burst into a flood of tears at the misfortunes of the hero he represented. Taken to London by his father, an eminent dentist, he there learned English, and spoke the language so purely, that lord Harcourt and other noblemen, who had seen him perform little comedies in society, encouraged his father to destine him for the English stage. Family circumstances, however, taking Talma back to Paris, he for some time attended the Royal School of Decla-

mation, and, shortly afterwards, appeared in Voltaire's tragedy of Mahomet, Nov. 27, 1787, in the character of Seide. The commencement of his profession was thus spoken of:—"He has succeeded in tragedy and comedy. Besides his other natural endowments, he has an agreeable figure, a voice at once sonorous and audible, with a pure and distinct enunciation. He feels the harmony of versification, and can communicate such feelings to others. His deportment is simple, his action natural. He is always in good taste; and has no mannerism, being an imitator of no actor, but using his own discretion and abilities." Being on the most intimate terms with literary men, and the most celebrated painters and sculptors of the day, he resolved, in the very commencement of his career, to effect a revolution in the costume of the stage, which had been scarcely commenced by Lekain and Madame Clairon. In despite of Gothic usages, Talma, who had gained some confidence in the tragedy of Brutus, had the courage to appear in a veritable Roman toga. At the commencement of the revolution, he was attacked with a violent affection of the nerves, which brought him to the edge of the grave, and which, in discovering his nervous sensibility, developed his fine talent. The ascendancy which this talent was to exercise was not yet established, when his brother performers, differing from him in politics, exposed him to a controversy, which he sustained with courage; his superiority was discovered, and this by a man not less superior in his way, Larive, who undertook to defend Talma. On the retirement of Larive, Talma found himself in the possession of the first tragic characters; his influence with the public increased every day, the dignity and the grace of his attitudes, his measured boldness, the manner of conceiving his characters, his frequent sublimity, acquired for him the just title of the first tragedian of his age. His enemies reproached him with having broken the rhythm of verse, and having pronounced tragedy as prose. He published in 1825 Reflections upon his art, manifesting the profoundness of those studies which conducted him to his elevation of talent. The characters in which Talma was most powerful, were the heroes of Shakspeare. His Coriolanus and Hamlet will long be remembered with delight. The part of Sylla,



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in Jouy's tragedy of that name, was so admirably performed by Talma, that for more than two hundred nights the theatre was crowded to witness it. Off the stage Talma was as attractive as upon it—his conversational powers were of no mean order. Napoleon entertained a high respect for him. In his domestic habits Talma was remarkably plain, and, except when with friends, rather abstemious. He rose early, and wrote or read until ten or twelve o'clock in the morning, at which time he received the visits of his theatrical colleagues, the *littérateurs* of Paris, and foreign writers who were desirous, during their stay in Paris, to see the "great actor." To the less fortunate in the career which he had run so brilliantly, he was ever a kind friend and a liberal patron; his purse was as open as his heart. The sums bestowed by Talma upon distressed talent would have formed an ample fortune; and, if he died rather poor than rich, the circumstance is thus easily accounted for. His regard for the English character was with him at once the result of natural feeling and of a sound judgment. He received and spoke of Englishmen with delight, and he has been known, on more occasions than one, abruptly to quit a French saloon in which the English nation was being calumniated. Talma, to the last, was in full possession of his faculties. On being told that the archbishop of Paris had called almost daily, and had been regularly refused admittance, he observed, "I am much obliged to him for his kindness, and my first visit shall be to thank him for his attentions. Should I get worse, pray keep the priests from me. What can they want with me? Do they want me to abjure a profession to which I owe all my fame, an art which I idolize, and retract forty of the proudest years of my life; separate my cause from that of my comrades, and declare them infamous? Never! Never!" A few moments before his death, he said, in a low voice, "Voltaire! Voltaire! like Voltaire!" He expired without suffering any apparent pain; he only complained that there appeared a cloud before his eyes. He told his nephew (Amadée Talma, M. D.) "The doctors know nothing about my disorder; let my body be opened, it may, perhaps, be of some use to my fellow-creatures." The remains of Talma were carried from his house to the cemetery of Père la

Chaise. The procession was headed by the hearse, surrounded by his family, his intimate friends, and the whole of the actors of the Théâtre Français, after whom came a great number of members of the Institute in full dress. There were eighteen mourning coaches, and above a thousand private carriages, hackney coaches, and cabriolets. The Boulevards were lined with people all the way, the gendarmes cleared the road, and it is supposed that the procession, before it arrived at Père la Chaise, amounted to at least one hundred thousand persons. The place of sepulchre was one of the heights to the right, not far from the monument of marshal Massena, and bordering upon that of the Despaux family. Middle way up the steep leading to it the hearse stopped; twelve young men then carried the coffin to the borders of the grave destined to receive it. From an early hour in the morning, a considerable crowd, amounting, perhaps, to 20,000 persons, had filled the cemetery, and when the coffin was brought into it, they assembled round the tomb. It was not without difficulty that the persons carrying the coffin, with the friends of the deceased, were able to get within the circle. No religious rites were performed over the body; but speeches were made over his grave by his colleague, Lafon, and by the two tragic writers, Jouy and Arnault. The death of Talma excited great sensation throughout all the French provinces. At Strasbourg, an apotheosis of Talma took place at the theatre, and all the performers appeared in mourning. The same ceremony took place at Lyons, and in some other large towns. At Valenciennes, the inhabitants claim the honour of being fellow-town's-men of Talma, as they fancy he was born at Paix, a village near Valenciennes. The journal of that city states, that there is a hamlet in the neighbourhood which bears the name of Talma.

20. The hon. Mrs. Green, lady of John Green, esq. of Greenmount, and aunt to lord Massy.

— At Paris, count François-Antoine Boissy-d'Anglas, a peer of France, and member of the Institute. He was born Dec. 8th, 1756, and sustained with equal firmness and moderation, a public part in the perilous times of the revolution. Being chosen deputy to the States General from Annonay, he com-



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menced his political career by an absurd declaration which he ever afterwards scrupulously maintained—namely, that the Tiers Etat alone really constituted the National Assembly. He was afterwards appointed Procureur General Syndic of the department of Ordiche, where he succeeded in preserving the public tranquillity during that stormy period. On every occasion, and in all the various offices to which he was successively called, he uniformly showed himself the friend of the weak, the adversary of what he deemed oppression, the advocate of the liberty of the press, of liberty of conscience, and of personal liberty. The energy of his character equalled the rectitude of his principles: of this he gave a noble proof on the memorable 1st of Prairial, 1795. M. Boissy d'Anglas was at that period a member of the Committee of Public Safety: the hall where the meetings were held was on that day besieged by a furious mob, who had been instigated to seditious conduct by the leaders of the opposite parties. The gates were at length burst open, and a number of men and women, armed with muskets, knives, swords, and other weapons, entered. The president Vernier, and Dumont, had successively quitted the chair, on which it was taken by Boissy-d'Anglas, who maintained the situation undauntedly, in spite of the menaces of the infuriated multitude, and the firing of guns, many of which were aimed at himself. A party of these wretches presented to him on a pike the head of the deputy, Ferrand, who had been murdered by them in one of the corridors. On beholding this bleeding fragment of his massacred colleague, the president rose from his seat and bowed to it with respect. At length, after six hours of dreadful tumult and carnage, an armed force succeeded in expelling the mob, and M. Boissy retired from the hall unhurt.

24. At Geneva, the hon. and rev. Robert Samuel Leslie Melville, brother to the earl of Leven and Melville. He was the fourth son of Alexander the late earl, by Jane, daughter of John Thornton, esq. of London; was of Trinity College, Cambridge, M.A. 1812, and was presented to the rectory of Great Tey cum Pontisbright in Essex, by Samuel Thornton, esq. in 1816.

— At his seat, Edlington-grove, Richard Samuel Short, esq.

25. At Zurich, aged 56, Johann Coprad

Von Orelli, an eminent philologist, and writer on subjects of philosophy and literary history.

25. At Cliff-ville, the residence of John Tomlinson, esq. Eliza, daughter of the late Edw. Ombler, esq. of Camerton-hall, Yorkshire, and niece to Mrs. Tomlinson.

— In his 82nd year, M. Philippe Pinel, honorary professor of Medicine, chevalier of the Legion of Honour, &c. The remains of this illustrious man were followed to the burial-ground of Père la Chaise by a numerous train of medical men, &c. and discourses in honour of his memory were delivered by MM. Pariset, Rostan, Andouard, and Geoffrey St. Hilaire, who paid a just tribute to the services he had done the profession, and to his zealous labours in behalf of suffering humanity. His two principal works are, “Nosographie Philosophique,” and “Traité de l'Aliénation Mentale.”

27. At Waresley-park, the seat of her uncle, visct. Mandeville, Eliz. eldest daughter of col. and lady Eliz. Steele.

— At Ilfracombe, Jessé Foot, esq. a gentleman long known, and deservedly esteemed in the medical world. He had reached his 83rd year, and retained his faculties to the last. He was born at Charlton, in Wiltshire. On his first coming to London he became apprentice to his uncle, a respectable apothecary in Hatton Garden, but finding himself superior in capacity and knowledge to his master, he entered at the London hospitals. He went early in life upon a particular mission to the island of Nevis, and afterwards to Russia, where, passing an examination in the Latin tongue, under professor Pallas, he was admitted as a privileged practitioner at the college of St. Petersburg, where the Russians wanted good English surgeons. Mr. Foot had every encouragement to remain in Russia, but he was anxious to return to his own country; and, after undergoing an examination at Surgeons' Hall, under the celebrated Percival Pott, whose talents he held in the highest veneration, he became house-surgeon to the Middlesex-hospital, then in a very flourishing state. He soon after commenced practice for himself in Salisbury-street, Strand, and afterwards in Dean-street, Soho, where he resided for many years, and by his various professional publications and successful practice, acquired a handsome fortune.



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He continued in practice till a very advanced age, when he purchased an annuity of government, and about four years ago fixed his residence at Ilfracombe. Besides his numerous professional works, Mr. Foot published:—A Defence of the Planters in the West-Indies, comprised in four arguments: 1. On comparative Humanity; 2. On comparative Slavery; 3. On the African Slave-trade; and 4, on the Condition of the Negroes in the West-Indies, 1792, 8vo.; the Life of John Hunter, 1794, 8vo.; Dialogues between a Pupil of the late John Hunter and Jessé Foot, 1795, 8vo.; Observations on the Speech of Mr. Wilberforce in Parliament, May, 1804, for the Abolition of the Slave-trade, 1805, 8vo.; The Lives of A. R. Bowes, esq. and the Countess of Strathmore his wife, 1810, 8vo.; Life of Arthur Murphy, esq. by Jessé Foot, esq. his executor, 1811, 4to.

— At Langley Farm, Beckenham, sir Wm. Bellingham, bart. F.A.S. a director of Greenwich-hospital, and formerly receiver-general of the land and assessed taxes for the city of London. He was descended from a younger brother of sir Henry Bellingham, of Helsington, Westmoreland, who was created a baronet in 1620, but died s. p. in 1650; and was the fourth son of Alan Bellingham, of Castle Bellingham, co. Louth, by Alice, daughter and coheir of the rev. Hause Montgomery, rector of Killinshee. He was created an English bart. March 16, 1796, with remainder to the issue male of his father, and is succeeded by one of his nephews.

28. In Upper Seymour-street, aged 86, Anne, widow of James Whyte, esq. and great aunt to sir Henry John Lambert, bart. She was daughter of sir John, the second bart. by Mary, daughter of Tempest Holmes, esq. one of the commissioners of the Victualling-office.

30. At Boulogne-sur-Mer, on her return from Switzerland, the lady of F. Thruston, esq. of Weston Hall, Suffolk.

— At Rolleston-hall, Eliz. Goodman, eldest daughter of the late sir Edward, and sister of the present sir Henry Every, of Egginton, bart.

31. At Barry's-hotel, Edinburgh, sir Stephen Shairp, of Russell-place, Fitzroy-square, late his Britannic majesty's consul-general at St. Petersburg. He was knighted Sept. 17, 1806.

— At Blackheath, aged 11, Eleanor Henrietta Victoria, daughter and last

surviving child of the right hon. Fred. John Robinson, chancellor of the Exchequer, and lady Sarah, only child of Robert, fourth and late earl of Buckinghamshire. Her remains were interred in the family vault at Norton, in Lancashire.

Lately, At her house in Montagu-sq. Jane, dowager countess of Normanton. She was the eldest daughter of Wm. Benson, esq. by Frances, daughter of Geo. Macartney Powis, esq. and was married Nov. 22, 1776, to the right rev. Charges Agar, then archbp. of Cashell, and afterwards archbp. of Dublin and earl of Normanton. By his Grace she had issue: the right hon. Welbore-Ellis, the present earl; the hon. Geo. Charles Agar, F.R.S.; the hon. and rev. James Agar; Henry-William, who died an infant; and Frances-Anne, now widow of the late viscount Hawarden.

In Arlington-street, aged 88, William Prater, esq.

In Sloane-street, Ann, widow of rev. Frogmore Cumming, vicar of Cardington, Bedfordshire.

At Corby, near Carlisle, aged 102, Joseph Liddle, one of the Society of Friends. He retained his faculties to the last, and managed, till within a few years of his death, an extensive garden. He was a shoemaker by trade, and was working at a shop in the market-place at Preston, when the rebels entered that town in 1745.

At Havre-de Grace, rear-adm. John Monkton.

At Chelmsford, aged 55, Priscilla, wife of sir James Esdaile, knight.

## NOVEMBER.

1. William Barnes Rhodes, esq. of Bedford-street, Bedford-square. He was born on Christmas-day, 1772, and was the second son of Richard and Mercy Rhodes, of Leeds. His education is said to have been on rather a limited scale, he being intended for mercantile pursuits, and commencing his career in the humble department of writer in an attorney's office. About the year 1799, he obtained a permanent situation as a clerk in the Bank of England, where his strict attention, assiduity, and integrity, induced the governors, about three years since, to promote him to the situation of a chief teller. His duty at the Bank daily afforded a very few hours of leisure, of which his persevering zeal made due advantage. At the Roxburgh sale, in



## DEATHS.—Nov.

June 1812, he is supposed to have first materially enlarged his collection of theatrical pieces, and by April 1825, a period not exceeding thirteen years, when his own library was sold by Mr. Sotheby, he had accumulated no less than 2,918 lots relative to the drama. As an author, his fancy indulged in a playful revelry of satire and burlesque humour. He published, with his name, "Epigrams, in two books," in 1803, and some "Eccentric tales, in verse, by Cornelius Crambo," 1808. But his most popular and well-known production was the ludicrous "Burlesque Tragic Opera, Bombastes Furioso," first performed at the Theatre Royal, Haymarket, August 7, 1810. After being often surreptitiously printed in London, Dublin, and New York, the author, in 1822, was induced to sanction a publication of this whimsical trifle with his name.

4. At East Grove, near Cove, county of Cork, aged 50, the right hon. William Bagwell, of Marlfield House, county Tipperary, a privy councillor in Ireland, colonel of the Tipperary militia, joint muster-master-general, &c.

— At Barham, at the advanced age of 95, John Jennings. He was the regular postman from Ipswich to Needham and Stowmarket, for the long period of fifty-two years. After this he was employed as the postman to Barham and Coddendam for a period of fifteen years; and for the last nine years only of his life he had relinquished this his daily occupation.

5. In Duke-st., Manchester-square, aged 71, sir Richard Hardinge, bart. surveyor-general of the Customs in Dublin. He was the eighth son of Nicholas Hardinge, esq. clerk of the House of Commons, by Jane, daughter of the right hon. sir John Pratt, lord chief justice of the King's Bench, and sister to lord chancellor Camden.

— At Higham, a hamlet of the parish of Gazeley, aged 75 years, Thomas Batley, commonly called Blind Tom, who had been deprived of sight from his youth. He was the regular postman for the conveyance of parcels and letters from Gazeley to Higham, and this he did without the guidance either of a fellow-creature or a dog.

11. In Edward-st., Portman-square, Elizabeth, relict of Edward Horlock Mortimer, esq. of Bellefield-house, near Trowbridge.

11. Aged 80, Thomas Coltman, esq. of Harnaby Priory, many years chairman of the quarter sessions for the south division of Lindsey.

— In Kensington-square, aged 88, colonel Harnage. He was an active patron of the Philanthropic Society, and a truly good man.

18. At Cheltenham, in his 82nd year, sir James Monk, formerly chief justice in Canada.

20. At Brussels, in his 82nd year, M. Pierre Paganel. On the 10th Aug. 1790, when the unfortunate Louis XVI. sought an asylum in the Hall of Representatives, M. Paganel, then one of the deputies of the Legislative Assembly, boldly addressed the infuriated populace, at the imminent danger of his own life, and declared that the royal person was inviolable. His energy on this occasion awed the multitude, and saved his sovereign. Throughout the whole of his political career, M. Paganel distinguished himself by his love of justice and humanity. As a literary man, he has obtained deserved celebrity by his "Essai Historique et Critique sur la Revolution," 3 tom. 8vo. Paris, 1815. He also published an excellent translation of Casti's *Animali Parlanti*, 3 tom. 12mo. Liege, 1818; and various dissertations, all distinguished by elegance of style: "L'Ancienneté du Globe et de la Terre;" "Cause de la Durée de la Monarchie des Chinois," &c. &c. The urbanity of his manners was equalled only by the benevolence of his heart; nor did even extreme age diminish the liveliness of his feelings. "Mes bons amis," said he, a short time previous to his death, "je le sens, mon cœur ne vieillira jamais." M. Paganel was born at Villeneuve-sur-Lot, July 31st, 1745.

21. At East Barnet, aged 74, Henry Warre, esq. rear-admiral, R. N.

22. At Ashling, near Chichester, rear-adm. Stair Douglas.

23. At Berlin, the celebrated astronomer, Johann Elert Bode, who was born at Hamburg, Jan. 19th, 1749. His first work, written when he was quite a youth, was an account of the eclipse in 1766; two years afterwards, he published his *Astronomisches Lehrbuch*, a work that has since passed through a great many editions. In 1772, he was appointed astronomer to the Academy of Sciences at Berlin. His *Astronomischen Jahrbucher*, which commenced in 1774, and his *Himmels*



## DEATHS.—DEC.

Atlas, have obtained for him great reputation with the scientific world. The latter contains no fewer than 17,240 stars.

24. At the Royal Military College, Sandhurst, Edward Jacob, second son of H. S. Partridge, esq. of Hockham Hall, Norfolk.

25. In Albemarle-street, aged 72, lieut.-gen. Alexander Kyd.

— At Maida-hill, William Carr Royal, esq. many years lieut.-col. of the 61st regiment, with which he served in the West Indies. He was appointed adjutant 58th foot, Dec. 31, 1792; lieut. Oct. 29, 1794; captain, April 25, 1799; major 61st foot, Dec. 25, 1807; and lieut.-col. July 23, 1812.

26. John Nichols, esq. F.S.A. for nearly fifty years the editor of the Gentleman's Magazine.

— In Store-street, Bedford-square, aged 70, Anne, sole surviving daughter of the late Joseph Hickey, esq. of Twickenham.

27. In Canonbury-place, aged 64, William Knight, esq. of Goswell-street.

— Sarah Anne, wife of Mr. George Daranda, surgeon, of Claremont-terrace, Pentonville, and youngest daughter of the late Mr. March, stationer, of Ludgate-hill.

— In Upper Seymour-street, West, Frances, second surviving daughter of the late John Parkhouse, esq. of Westminster.

28. At Walworth, aged 85, Thomas Preston, esq.

29. Aged 61, the wife of Matthias March, esq. of Gosport.

— In Upper Harley-street, aged 72, Mrs. Meyrick, of Morden House, Surrey, relict of Owen Putland Meyrick, esq. of Bôdorgan, Anglesey.

— In Weymouth-street, aged 53, the wife of George Dorrien, esq. a Bank director, and only sister of William Henry Ashurst, esq. M.P. for Oxfordshire.

— At Lausanne, Henri Struve, the celebrated chemist and mineralogist. He was born in 1751, and after having finished his studies at Tübingen, on returning to his native country, was appointed professor extraordinary of chemistry. M. Struve is the author of the following works: *Méthode Analytique des Fossiles*, 1797, 4to.; *Recueil des Mémoires sur les Salines*, 1803; *Description des Salines d'Aigle*, 1804; *Fragmens sur la Théorie des Sources*, 1804; *Abrégé de Géologie*, 1818, &c.

He made bequests to various public institutions at Lausanne, and left his collection of minerals to the government, for the use of a professor of mineralogy, and his library to the academy of that city.

Lately, At Petersfield, Mr. Thomas Bonham, alderman of Portsmouth.

## DECEMBER.

1. At Croydon, aged 76, Mr. Francis Feltoe, late chief surveyor of his majesty's exports.

2. At Spring Grove, Mary Anne, wife of sir Charles Price, bart. and daughter of William King, esq. of King-street, Covent-garden.

— At the Manor-house, High Beach, Charlotte, relict of Rev. T. Howell, of Charton.

3. At his father's, Brompton, aged 20, Mr. Clementi, son of Muzio Clementi, the celebrated musical composer. This unfortunate young gentleman owed his death to the accidental explosion of a pistol, the contents of which passed through his heart.

4. At the Royal Naval Hospital, Stonehouse, aged 80, Richard Creyke, esq. governor of that establishment, resident commissioner of the victualling at Plymouth, and a post captain, R. N.

6. At Laura-place, Southampton, 73, Matilda, relict of Paul Cobb Methuen, esq. of Corsham House, Wilts, and aunt of sir T. S. Gooch, bart. She was the eldest daughter of sir Thomas, the 3rd bart., by Anne, daughter and heiress of John Atwood, esq.; was married to Mr. Methuen in 1776, and was mother of the present Paul Methuen, esq., of the present lady Walsingham, the hon. Mrs. F. J. Noel, three other sons, and three other daughters.

7. At Truro, after eleven weeks of extreme suffering, in consequence of a blow accidentally received from his horse whilst hunting, aged 76, John Vivian, esq. vice-warden of the Stannaries of Cornwall, and for many years one of the chairmen of the quarter sessions of the county. He was a man of the highest principles of honour and liberality, and extraordinary strength and activity of mind, which he most effectually employed in promoting the commerce of Cornwall. He has left two sons, major-gen. sir Hussey Vivian, K. C. B. equerry to his majesty, and



## DEATHS.—DEC.

M. P. for Windsor, and John Henry Vivian, esq. of Marino, near Swansea.

7. John Flaxman, esq. R. A. Prof. Sculpture Royal Acad. This celebrated artist, who was born in 1754, may justly be said to have excelled all his countrymen in genius, and to have raised the British school of sculpture to a pitch it had never before attained. His compositions from Homer and Dante are fraught with the richest poetry, and imbued with the very spirit of poetry; while his Shield of Achilles; his Monuments of Reynolds, Nelson, Lord Mansfield, Sir William Jones, the Marquis of Hastings, &c.; his colossal statue of the Archangel Michael, &c. equally attest his powers as an eminently gifted sculptor. He was a man of deep religious sentiment, and said to be attached to the doctrines of Swedenborg.

8. Aged 25, Graham, 5th son of sir Henry Oxenden, 7th bart. of Dean, and Mary, daughter of colonel Graham, of St. Lawrence, near Canterbury.

9. At Winkton-house, near Christchurch, in her 19th year, Maria, youngest daughter of the late John Barnes, esq. of East Finchley, and niece of James Jopp, esq. of Winkton-house.

— At Abbots Ripton, Hunts, aged 83, John Roper, esq.

— Aged 65, Harriet, wife of Samuel Shore, esq. of Norton Hall.

— At Broadstairs, the right hon. Bridget, lady Teynham. She was daughter and coheirress of Thomas Hawkins, of Nash Court, Kent, esq. was married May 21, 1788, to Henry Francis Roper Curzon, esq. (now lord Teynham), and was the mother of fifteen children, ten sons and five daughters, five of whom died infants.

— At Terriers House, Bucks, the right hon. John Evelyn Pierrepont Dormer, tenth baron Dormer, and tenth baronet of Wing, in that county, and a captain in the army. His lordship was the only son of Charles, 8th lord Dormer, by his second wife, the relict of general Mordaunt, and was a twin-brother of Mrs. Portman, lady of the late Henry Berkeley Portman, esq. M. P. and uncle of the present member for Dorsetshire. He married, Nov. 6, 1795, lady Elizabeth Kerr, eldest daughter of Will. John, 5th marquess of Lothian, K. T. but by her ladyship, who died in 1822, had no issue. He succeeded his half-brother Charles, the

late peer, April 2, 1819; and it is believed that, although the barony has existed for above two centuries, he was the first lord Dormer that ever sat in the House of Peers, his lordship having conscientiously and piously rejected the errors of popery, and conformed himself to the Established Church. The barony of Dormer has devolved on col. Joseph Dormer, of the Hungarian service, a cousin of the deceased peer.

9. At Chalk, aged 51, Frances, wife of William Brown, esq.

11. At Pinalico, aged 83 the widow of general Burnet.

12. In Regency-square, Brighton, aged 46, the right hon. Charles Kinnaird, eighth baron Kinnaird of Inchture, Perthshire, F.R.S. and S.A. His lordship was born April 7, 1780, the second but eldest surviving son of George the late peer. At the general election in 1802 he was returned, after a contest of two days, M.P. for the borough of Leominster, and during three sessions he showed himself a very active member of the opposition, frequently speaking, and with considerable credit. Having succeeded his father, Oct. 21, 1805, a new writ was ordered, Jan. 21, 1806, and his place filled by the hon. Charles Lamb. At the general election of December, 1806, he was chosen a representative peer of Scotland, but this he continued only a few months, being an unsuccessful candidate at the election in June, 1807. He never afterward sat in either house; for, though possessed of no ordinary talents, his ill health forbade exertion. The name of his brother, the hon. Douglas Kinnaird, is well known in the political arena. Lord Kinnaird married, May 8, 1806, lady Olivia-Letitia-Catherine Fitzgerald, seventh and youngest daughter of the present duke of Leinster. By this lady, who survives him, he had three sons and two daughters.

13. At Rathmines, near Dublin, after a short illness, aged 46, the right hon. Luke Dillon, second baron Clonbrock of Clonbrock, co. Galway. His lordship was born April 25, 1780; succeeded his father Robert, July 22, 1793, and married at Ardfry, co. Galway, Jan. 6, 1803, the hon. Anastatia Blake, only daughter and heiress of Joseph-Henry, first lord Wallscourt, of that place, by lady Louisa-Catherine Birmingham, third daughter and coheirress of Thomas



## DEATHS.—DEC.

Henry earl of Louth, and twenty-second and last lord Athenry. By this lady, who died June 5, 1806, he had issue: 1. Louisa, born August 2, 1805; 2. Robert, now lord Clonbrock, born March 29, 1807; 3. Joseph, who died an infant; 4. Letitia, born Sept. 1, 1809.

14. At Paris, Conrad Malte-Brun. This distinguished geographer was born in Jutland, in Dec. 1775, and received his education in the University of Copenhagen, where he distinguished himself by his attainments in philosophy and the classics. His parents intended him for the church, but he preferred dedicating himself exclusively to literature; and published a collection of poems, displaying considerable talent. Among these his *Niels Ebbenson*, and his *Ode on the Sea-fight off Tripoli*, are esteemed two of the best productions of the Danish muse. The interest he took in the French Revolution, however, gave a very different direction to his studies: he commenced political writer, and, in consequence of the freedom of his opinions, was obliged to quit Denmark, and seek an asylum in Paris, where he at first supported himself by teaching languages. But still desirous of distinguishing himself, he soon directed all his attention to geographical pursuits, to which he applied himself for fifteen years with unremitted assiduity; and in 1804, commenced, in conjunction with Meunier, his great work, "*Géographie Mathématique, Physique, et Politique*," of which sixteen volumes appeared from that period to 1807. In 1808 he undertook with Eyriès the "*Annales des Voyages*," a very valuable work. His "*Précis de la Géographie Universelle*," is also a monument of research, industry, and profound learning. He was, likewise, during twenty-two years, a constant contributor to the *Journal des Débats*. In 1815 appeared his masterly and eloquent work, "*Traité de la Légitimité*," which may be considered as a recantation of the political errors of his youth. Some years after, he made application for permission to return to his native country, which was granted; and he was anxious to quit France in the Summer of 1826, but, being prevented by the pressure of his literary engagements, was obliged to defer his journey, which he intended should have taken place the following Spring. But he was destined never more to behold the land of his birth, being carried off by a nervous

attack. He has left behind him a "*Dictionnaire Portatif de Géographie*," and materials for a "*Dictionnaire Géographique, Critique et Raisonné*."

14. At his house, aged 71, William Twopenny, esq. of Woodstock.

— At Hawkeshead Vicarage, Lancashire, Anne, wife of rev. George Park, and only sister of sir Robert Peel, bart.

— In Charles-street, Berkeley-square, Charles Moore, esq. second son of the late archbishop of Canterbury.

— At Brighton, aged 28, Mary-Anne Rachael, sister to sir Hugh Palliser, bart. She was the eldest daughter of sir Hugh, the late and second baronet, by Mary, daughter and coheirress of John Yates, of Dedham, Essex, esq.

15. In Gloucester-place, Brighton, aged 71, Katherine, relict of Richard Molesworth, esq. and mother of the present and seventh viscount Molesworth.

— In the Strand, aged 85, Joseph Cradock, esq. F.S.A.

16. At Henbury-hall, Cheshire, aged 63, Margaret, relict of Thomas Brooke, esq. of Minshull, sister of sir Foster Cunliffe, bart. and aunt to sir Richard Brooke, bart.

— At Schleswig, August Wilhelm Von Schack-Staffeldt, a Danish poet of some celebrity, who was born at Copenhagen, in 1770. The finest collection of his poems, chiefly lyrical, appeared in 1804; another was published at Keil, in 1808.

17. In Arlington-street, aged 22, the hon. George Duncombe, Grenadier guards, third remaining son of lord Feversham.

18. Charles St. Vincent, youngest son of Charles Chamberlain, esq. his majesty's consul at Carthage.

21. Margaret, youngest daughter of sir Sandford Graham, bart.

22. At Tooting, aged 81, lady Welch, relict of sir Richard Welch, of Eltham.

23. At Danett's-hall, near Leicester, Ellen, widow of Edward Alexander, M.D. eldest daughter and co-heirress of the late Samuel Waterhouse, esq. of Halifax, one of the justices of the peace, and deputy lieutenant for the West Riding of Yorkshire.

— Lucretia-Grace, wife of Thomas Turner, of Curzon-street, M.D. and half sister of sir Charles Blois, bart. She was the eldest daughter of sir John, the fifth and late baronet, by his second



## DEATHS.—DEC.

wife, Lucretia, daughter of — Ottley, of the island of St. Christopher, esq. and was married to Dr. Turner, Jan. 14, 1805.

25. At Clapton, aged 87, Mary, relict of James Vaston, esq.

— At Babington, in his 80th year, Charles Knatchbull, esq.

29. At Besançon, aged 53, Pierre François Briôt, professor of pathology, clinical surgery, &c. This able surgeon, well known to the public by many original treatises, and by his translation of Stein's *Traité d'Accouchemens*, &c. was one of the chief founders, and most active members, of the medical society of Besançon.

31. At Paris, of apoplexy, François Mazois, a distinguished architect, and writer on subjects of archæology and the fine arts. Mazois was born at Lorient, in the department of Morbihan, Oct. 12, 1783, and was educated at the central school at Bourdeaux, where he particularly applied himself to drawing and mathematical studies, and made great progress in those pursuits. After being examined by Monge, he was admitted into the Polytechnic school. His wishes led him to select the army as his future profession, but being afflicted with an incurable deafness, at the age of fifteen, he changed his views, and applied himself to architecture, as the next pursuit most congenial to his taste. After studying a short time under Percier, among whose pupils he soon distinguished himself, he determined to explore the classic soil of Italy, which his fortune enabled him to do at his own expense. At Rome he applied himself not only to the study of the remains of ancient buildings as an architect, but to archæology generally. Having acquired some celebrity in that city, he was invited to Naples by Murat, at that time sovereign of the South of Italy, to assist in embellishing his capital. The vicinity of Pompeii was to him an irresistible at-

traction: and here he devoted himself with enthusiasm to making drawings, frequently passing whole weeks together in that employment, and in collecting materials for his noble work, "*Les Ruines de Pompeii*." He next proceeded to investigate the remains of Pæstum; measuring and drawing all the remains of that celebrated city with the utmost exactness. These labours occupied about twelve years, after which he returned to Paris, where he was employed in many public and private works, and was engaged to make designs for a palace for the deputies of the departments. As an architect his principal works are: the restoration of the palace at Portici, the restoration of the convent and church of the Trinity at Rome; various improvements in the French ambassador's palace, in the same city. At Paris he built four very elegant private houses in the Champs-Élysées, at Paris; alterations in the archiepiscopal palace at Rheims; the passage Choiseul, &c. at Paris, &c. His literary and graphic productions consist of "*Les Ruines de Pompeii*," of which twenty parts in folio have appeared, forming two-thirds of the whole; "*Le Palais de Scaurus*," 8vo. a very interesting and erudite description of a Roman mansion; "*Les Ruines de Pæstum*," intended as a sequel to his work on Pompeii. Unfortunately this is not completely prepared for publication, but there is reason to hope that it will yet be given to the public, as most of the plates are executed. Besides these works, Mazois contributed a great number of lives of architects, sculptors, and other artists, to the work, entitled "*Galerie Française*," and a variety of papers on archæological subjects to different journals. He was also preparing a "*Mémoire sur les Embellissemens de Paris depuis 1800*,"



# A LIST

## OF THE

### KING'S MINISTERS IN 1826.

---

Earl of Liverpool .....	<i>First Lord of the Treasury.</i>
Earl of Eldon .....	<i>Lord-Chancellor.</i>
Earl of Harrowby .....	<i>President of the Council.</i>
Earl of Westmorland .....	<i>Lord Privy-Seal.</i>
Right hon. Robert Peel .....	<i>Secretaries of State</i> { <i>Home Department.</i> <i>Foreign.</i> <i>Colonies and War.</i>
Right hon. George Canning .....	
Earl Bathurst .....	
Right hon. Fred. John Robinson .....	<i>Chancellor of the Exchequer.</i>
Viscount Melville .....	<i>First Lord of the Admiralty.</i>
Duke of Wellington .....	<i>Master-General of the Ordnance.</i>
Right hon. Charles W. Williams Wynn .....	<i>President of the Board of Control.</i>
Lord Bexley .....	<i>Chancellor of the Duchy of Lancaster.</i>
Right hon. William Huskisson .....	{ <i>Treasurer of the Navy, and President</i> <i>of the Board of Trade.</i>
Viscount Sidmouth .....	

*The above form the CABINET.*

Duke of Montrose .....	<i>Lord Chamberlain.</i>
Marquis Conyngham .....	<i>Lord Steward.</i>
Duke of Dorset .....	<i>Master of the Horse.</i>
Viscount Palmerston .....	<i>Secretary at War.</i>
Right hon. Sir Charles Long .....	<i>Paymaster of the Forces.</i>
Right hon. Thomas Wallace .....	<i>Master of the Mint.</i>
Right hon. Charles Grant .....	<i>Vice President of the Board of Trade.</i>
Earl of Chichester .....	<i>Postmaster-General.</i>
Viscount Beresford .....	<i>Lieutenant-General of the Ordnance.</i>
Right hon. Charles Arbuthnot .....	<i>First Commissioner of Land Revenue.</i>
Sir John Singleton Copley, knt. ....	<i>Attorney-General.</i>
Sir Charles Wetherell, knt. ....	<i>Solicitor-General.</i>

#### I R E L A N D.

Marquis Wellesley .....	<i>Lord-Lieutenant of Ireland.</i>
Lord Manners .....	<i>Lord-Chancellor.</i>
Lord Combermere .....	<i>Commander of the Forces.</i>
Right hon. Henry Goulburn .....	<i>Chief Secretary.</i>
Right hon. sir G. Fitzgerald Hill, bt. ....	<i>Vice-Treasurer.</i>
Right hon. William C. Plunkett .....	<i>Attorney-General.</i>
Henry Joy, esq. ....	<i>Solicitor-General.</i>



FINANCE ACCOUNTS

PUBLIC INCOME OF THE UNITED

An Account of the ORDINARY REVENUES and EXTRAORDINARY  
Kingdom of GREAT BRITAIN and IRELAND,

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks, &c.		
ORDINARY REVENUES.	£.	s.	d.	£.	s.	d.
Customs .....	20,367,652	14	10	1,422,394	15	8 <sup>3</sup> / <sub>4</sub>
Excise .....	26,089,408	10	0 <sup>1</sup> / <sub>4</sub>	3,742,554	16	8 <sup>1</sup> / <sub>4</sub>
Stamps .....	7,881,150	1	10 <sup>3</sup> / <sub>4</sub>	257,408	1	4 <sup>1</sup> / <sub>2</sub>
Taxes, under the Management of the Commissioners of Taxes..	5,183,012	10	5	6,290	2	3
Post Office .....	2,367,567	16	6	98,918	6	5
One Shilling in the Pound, and Sixpence in the Pound on Pen- sions and Salaries, and Four Shillings in the Pound on Pen- sions .....	57,958	10	5 <sup>3</sup> / <sub>4</sub>	..	..	
Hackney Coaches, and Hawkers and Pedlars .....	69,998	10	7	..	..	
Crown Lands .....	513,766	10	4 <sup>1</sup> / <sub>2</sub>	..	..	
Small Branches of the King's Hereditary Revenue .....	9,056	1	5	..	..	
Lottery; Surplus Produce after Payment of Prizes .....	295,390	0	0	..	..	
Surplus Fees of Regulated Public Offices .....	56,091	14	7	..	..	
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees .....	11,520	6	11 <sup>3</sup> / <sub>4</sub>	..	..	
TOTALS of Ordinary Revenues.....	62,902,573	8	1	5,527,596	2	6
OTHER RESOURCES.						
Money brought from the Civil List on account of the Clerk of the Hanaper .....	2,000	0	0	..	..	
Money received from the East India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71.....	60,000	0	0	..	..	
From the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3, c. 34, for the Employment of the Poor ....	208,307	0	0	..	..	
Money received from the Trustees of Naval and Military Pen- sions .....	4,507,500	0	0	..	..	
From several County Treasurers, and others in Ireland, on account of Advances made by the Treasury for improving Post Roads, for building Gaols, for the Police, for Public Works, employment of the Poor, &c.....	210,388	14	10 <sup>3</sup> / <sub>4</sub>	..	..	
Unprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public .....	220,283	11	0 <sup>3</sup> / <sub>4</sub>	..	..	
TOTALS of the Public Income of the United Kingdom..	68,111,052	14	0 <sup>1</sup> / <sub>2</sub>	5,527,596	2	6



## FOR THE YEAR 1826.

## KINGDOM, FOR THE YEAR 1826.

RESOURCES, constituting the PUBLIC INCOME of the United for the Year ended 5th January, 1826.

NETT RECEIPT within the Year, after deducting REPAYMENTS &c.	TOTAL INCOME, including BALANCES outstanding 5th Jan. 1825.	Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on the 5th January 1826.	Rate per Cent for which the Gross Receipt was col- lected.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
18,945,257 19 1 $\frac{1}{4}$	19,315,172 11 10 $\frac{3}{4}$	2,253,538 2 9 $\frac{1}{2}$	16,541,524 0 1	520,110 8 11 $\frac{7}{8}$	7 7 9
22,346,853 13 3 $\frac{1}{2}$	23,750,164 6 5 $\frac{1}{8}$	1,580,934 15 4 $\frac{3}{8}$	21,004,487 6 11	1,164,742 4 2	4 16 0
7,623,742 0 6 $\frac{1}{4}$	8,049,765 2 9 $\frac{1}{4}$	184,914 0 4	7,447,923 13 11	416,927 3 6 $\frac{1}{4}$	2 6 11
5,176,722 8 2	5,393,166 6 0	310,669 13 9	4,990,961 2 4 $\frac{3}{4}$	91,535 9 10 $\frac{1}{4}$	5 11 10
2,268,619 10 0	2,474,626 8 1	664,767 10 0	1,595,461 10 9 $\frac{1}{4}$	214,397 7 3 $\frac{3}{4}$	25 11 10
57,958 10 5 $\frac{3}{4}$	61,250 3 2 $\frac{3}{4}$	1,375 18 8	56,730 5 11 $\frac{3}{4}$	3,143 18 7	2 5 7
69,998 10 7	70,012 18 5	10,149 17 1	59,857 0 0	6 1 4	14 9 11
513,766 10 4 $\frac{1}{2}$	625,626 2 8 $\frac{3}{4}$	587,768 15 6 $\frac{1}{2}$	.. ..	37,857 7 2 $\frac{1}{4}$	9 3 2
9,056 1 5	13,111 9 8	3,313 2 8 $\frac{3}{4}$	5,442 9 7	4,355 17 5 $\frac{3}{4}$	14 9 11
295,390 0 0	295,390 0 0	.. ..	295,390 0 0	.. ..	..
56,091 14 7	56,091 14 7	.. ..	56,091 14 7	.. ..	..
11,520 6 11 $\frac{3}{4}$	11,520 6 11 $\frac{3}{4}$	.. ..	11,520 6 11 $\frac{3}{4}$	.. ..	..
57,374,977 5 6	60,115,897 10 9 $\frac{3}{4}$	5,597,431 16 2 $\frac{1}{8}$	52,065,389 16 2 $\frac{1}{2}$	2,453,075 18 5 $\frac{1}{8}$	6 3 11
2,000 0 0	2,000 0 0	.. ..	2,000 0 0	.. ..	..
60,000 0 0	60,000 0 0	.. ..	60,000 0 0	.. ..	..
208,307 0 0	208,307 0 0	.. ..	208,307 0 0	.. ..	..
4,507,500 0 0	4,507,500 0 0	.. ..	4,507,500 0 0	.. ..	..
210,388 14 10 $\frac{3}{4}$	210,388 14 10 $\frac{3}{4}$	.. ..	210,388 14 10 $\frac{3}{4}$	.. ..	..
220,283 11 0 $\frac{3}{4}$	220,283 11 0 $\frac{3}{4}$	.. ..	220,283 11 0 $\frac{3}{4}$	.. ..	..
62,583,456 11 5	65,324,376 16 9 $\frac{1}{4}$	5,597,431 16 2 $\frac{1}{8}$	57,273,869 2 2	2,453,075 18 5 $\frac{1}{8}$	..

J. C. HERRIES.



## PUBLIC EXPENDITURE.

An Account of the PUBLIC EXPENDITURE of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt, in the year ended 5th January, 1826.

EXPENDITURE.						
	£.	s.	d.	£.	s.	d.
<i>Payments out of the Income in its Progress to the Exchequer.</i>						
Charges of Collection .....	3,898,377	16	7½			
Other Payments .....	1,699,053	19	6½			
Total Payments out of the Income, prior to the Payments into the Exchequer.....	..	..		5,597,431	16	2½
<i>Payments out of the Exchequer.</i>						
Dividends, Interest, and Management of the Public Funded Debt, four Quarters to 10th October 1825, exclusive of 5,486,475 <i>l.</i> 7 <i>s.</i> 8 <i>d.</i> issued to the Commissioners for the Reduction of the National Debt .....	27,230,789	19	6¼			
Interest on Exchequer Bills .....	829,498	2	5			
				28,060,288	1	11¼
Issued to the Trustees of Military and Naval Pensions, &c. per Act 3 Geo. 4, c. 51 .....	2,214,260	0	0			
Ditto - - Bank of England, per Act 4 Geo. 4, c. 22 .....	585,740	0	0			
				2,800,000	0	0
Civil List - - four Quarters to 5th January 1826.....	2,057,000	0	0			
Pensions charged by Act of Parliament on Consolidated Fund, four Quarters to 10th October 1825 .....	366,028	8	2½			
Salaries and Allowances .....	87,641	5	0½			
Officers of Courts of Justice.....	98,642	0	4			
Expenses of the Mint .....	14,748	15	10			
Bounties.....	2,956	13	8			
Miscellaneous.....	261,845	18	0			
Ditto - Ireland.....	301,084	2	9			
				2,189,917	3	10
Repayment of Loan from Royal Exchange Assurance Company on account of the New Street .....	100,000	0	0			
For the purchase of Silver for the New Coinage in Ireland....	500,000	0	0			
For Building New Churches in the Islands of Scotland .....	50,000	0	0			
				650,000	0	0
Army .....	7,579,631	4	4½			
Navy .....	5,849,119	4	3			
Ordnance .....	1,567,087	7	7¼			
Miscellaneous .....	2,216,081	15	4½			
				17,211,919	11	7¼
Money paid to the Bank of England, more than received from them on account of Unclaimed Dividends .....	49,464	11	6			
By the Commissioners for issuing Exchequer Bills, per Act 3 Geo. 4, c. 86, for the employment of the Poor .....	125,150	0	0			
Advances out of the Consolidated Fund in Ireland, for Public Works.....	533,258	7	2¼			
				707,872	18	8¼
TOTAL .....				57,217,459	12	3¼
Surplus of Income paid into the Exchequer, over Expenditure issued thereout .....				5,653,841	6	0¼
				62,871,300	18	4½



## DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1825, have been disposed of; distinguished under their several Heads; to 5th January 1826.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY .....	5,888,876	17	10	4,859,311	9	6
ORDNANCE.....	1,470,891	0	0	913,516	10	9½
FORCES .....	7,818,204	12	3	6,553,112	17	8½
<i>For defraying the Charge of the Civil Establishments undermentioned, for the year 1825; viz.</i>						
Of the Bahama Islands .....	3,477	0	0	3,477	0	0
Of the Island of Dominica.....	600	0	0	—	—	—
Of Upper Canada .....	8,229	0	0	4,114	10	0
Of Nova Scotia .....	9,660	0	0	4,830	0	0
Of New Brunswick .....	5,194	0	0	2,500	0	0
Of Prince Edward Island .....	3,010	10	0	1,500	0	0
Of Sierra Leone.....	16,513	0	0	10,000	0	0
Of Newfoundland .....	11,081	0	0	6,500	0	0
Of New South Wales.....	23,934	0	0	12,000	0	0
To defray the Charge of the Civil and Military Establishments of the African Forts ...	45,930	7	3	23,000	0	0
To defray the Charge of Civil Contingencies	260,000	0	0	260,000	0	0
To defray the Charge of the Royal Military College .....	13,189	9	2	8,786	18	2
To defray the Charge of the Military Asylum	24,834	14	2	12,000	0	0
To pay Interest on Exchequer Bills .....	820,000	0	0	820,000	0	0
To defray the Salaries and Allowances to the Officers of the Houses of Lords and Commons .....	27,630	9	0	24,770	0	3
To defray the Expenses of the House of Lords and Commons.....	16,572	0	0	16,572	0	0
To make good the Deficiency of the Fee Fund in the Departments of his Majesty's Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for the Colonies, most honourable Privy Council, and the Committee of Privy Council for Trade .....	93,879	0	0	71,285	7	5
Contingent Expenses and Messengers Bills in the Departments of his Majesty's Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for the Colonies, most honourable Privy Council, and the Committee of Privy Council for Trade	68,634	0	0	61,956	9	2



SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Salaries to certain Officers, and Expenses of the Court and Receipt of Exchequer.....	5,351	0	0	4,877	14	4
Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures	1,058	5	0	1,058	5	0
Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the Contingent Expenses of their Office; and also the Expenses attending upon the Circuits .....	16,740	0	0	11,174	6	6
Salaries of the Officers and the Contingent Expenses of the Office for the Superintendence of Aliens, and also the Superannuations or retired Allowances to Officers formerly employed in that Service.....	4,872	0	0	4,872	0	0
Allowances to Protestant Dissenting Ministers in England, poor French Protestant Refugee Clergy, poor French Protestant Refugee Laity, and sundry small Charitable and other Allowances to the Poor of St Martin's-in-the-Fields, and others.....	6,312	7	10	3,356	3	11
Foreign and other Secret Services.....	56,000	0	0	46,732	7	9
Expense of Printing Acts of Parliament, and Bills, Reports, and other Papers, for the two Houses of Parliament.....	99,169	0	0	45,497	17	5
Expenses incurred for Printing, by order of the Commissioners for carrying into execution the Measures recommended by the House of Commons respecting the Records of the Kingdom .....	10,371	0	0	3,919	14	4
Expense of Stationery, Printing, and Binding, for the several Public Departments of Government .....	96,240	0	0	48,930	0	0
Extraordinary Expenses of the Mint in the Gold Coinage.....	34,000	0	0	25,000	0	0
To make good the Loss upon the Irish Silver Tokens already re-coined and to be re-coined	52,000	0	0	52,000	0	0
Extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom.....	6,000	0	0	—		
Extraordinary Expenses in the Department of the Lord Chamberlain of his Majesty's Household, for Fittings and Furniture, for the two Houses of Parliament .....	4,800	0	0	1,117	2	10
Expense of Law Charges .....	12,000	0	0	10,000	0	0
Expense attending the confining, maintaining, and employing Convicts at home and at Bermuda.....	78,147	0	0	78,147	0	0
Bills drawn from abroad by his Majesty's Governors and others, for Expenses incurred under the Act for the Abolition of the Slave Trade, and in conformity with the Orders in Council for the Support, &c. of Captured Negroes, Free American Settlers, &c. ....	45,000	0	0	30,000	0	0



SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Amount of Bills drawn or to be drawn from New South Wales.....	120,000	0	0	—		
Expense of certain Colonial Services, formerly paid out of the Extraordinaries of the Army .....	2,442	10	0	2,442	10	0
Expenses of Works and Repairs of Public Buildings .....	40,000	0	0	17,138	17	6
Expense of Works at the Royal Harbour of George the Fourth, at Kingstown (formerly Dunleary) .....	45,000	0	0	25,000	0	0
The following SERVICES are directed to be paid, without any Fee or other Deduction whatsoever :						
British Museum, from the 25th Dec. 1824, to 25th March 1826 .....	15,416	0	0	15,416	0	0
To make Compensation to the Commissioners appointed by several Acts for inquiring into the Collection and Management of the Revenue in Ireland, and the several Establishments connected therewith, and into certain other Revenue Departments in Great Britain, for their assiduity, care, and pains in the execution of the Trusts reposed in them by Parliament .....	5,200	0	0	5,200	0	0
Expense of the Penitentiary House at Milbank	20,000	0	0	5,000	0	0
Charge of the Allowances or Compensations granted or allowed as Retired Allowances or Superannuations, to Persons employed in Public Offices or Departments, or in the Public Service, according to the provisions of two Acts of his late and present Majesty	12,124	16	8	1,120	7	2
To enable his Majesty to grant relief to Toulonese and Corsican Emigrants, Dutch Naval Officers, St. Domingo Sufferers, and others who have heretofore received Allowances from his Majesty, and who, from Services performed or Losses sustained in the British Service, have special Claims upon his Majesty's justice and liberality .....	16,120	0	0	9,500	0	0
National Vaccine Establishment .....	3,000	0	0	3,000	0	0
Institution called "The Refuge for the Destitute".....	5,000	0	0	5,000	0	0
For the Relief of the American Loyalists.....	6,300	0	0	4,000	0	0
Expense of confining and maintaining Criminal Lunatics .....	3,306	10	0	3,115	9	3
Salaries and Incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Spain, Portugal, and the Netherlands, for preventing the illegal Traffic in Slaves, and in pursuance of the Acts for carrying the said Treaties into effect.....	17,425	0	0	—		



SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Expenses of the Special Commissioners to Spanish America.....	30,000	0	0	30,000	0	0
Salaries of his Majesty's Consuls General, Consuls and Vice-consuls in Spanish America .....	35,000	0	0	12,383	6	8
Charges of the Society for the Propagation of the Gospel, in the Colonies of Upper and Lower Canada, Nova Scotia, New Brunswick, Newfoundland, Prince Edward Island, and the Cape of Good Hope .....	15,532	0	0	15,532	0	0
Expense of the Works at the College of Edinburgh .....	10,000	0	0	10,000	0	0
Expense of the Works at Port Patrick Harbour.....	15,990	0	0	15,990	0	0
Expense of Works at Donaghadee Harbour...	19,130	0	0	19,130	0	0
Expense of Buildings at the British Museum	40,000	0	0	—		
For rebuilding the Office of his Majesty's Privy Council, and for completing the Office of Committee of Privy Council for Trade...	18,000	0	0	—		
Charge and Repairs of Works to be executed at Windsor Castle .....	80,000	0	0	—		
To make Compensation in the year 1825, to the Commissioners appointed by his Majesty, for inquiring into the Nature and Extent of the Instruction afforded by the several Institutions in Ireland, established for the purpose of Education, for their assiduity, care, and pains in the execution of the trust reposed in them .....	8,000	0	0	7,000	0	0
Expenses of the Roads and Harbours of Holyhead and Howth.....	27,871	14	2	10,000	0	0
For facilitating Emigration from the South of Ireland to the Canadas .....	30,000	0	0	30,000	0	0
For the Purchase of Mr. Rich's Collection of Manuscripts, Antiquities and Coins, to be placed in the British Museum, for the Benefit of the Public .....	7,500	0	0	—		
To enable his Majesty to remunerate John Loudon M'Adam, for the Service which he has rendered by the Introduction of a valuable Improvement in the Method of Constructing the Public Roads of this Country .....	2,000	0	0	2,000	0	0
To defray that part of the Expense of the Repairs to the Cobb, at Lyme Regis, rendered necessary in consequence of the destructive Effects of the Storms in the Autumn of 1824, which it is proposed should be borne by the Public .....	13,000	0	0	—		
To indemnify certain Proprietors of Slaves in the United States of America, under the Treaty concluded at Ghent, on the 24th day of December 1814, and the Convention signed at St. Petersburg on the 12th day of July 1822 .....	200,000	0	0	—		



SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To pay off and discharge such of the Proprietors of Annuities granted by two Acts of the 37th and 42nd years of the reign of his late Majesty, as shall not desire to receive £.3 per cent Annuities in lieu thereof, according to the Provisions of the said Acts .....	120,000	0	0	10,000	0	0
For defraying the CHARGE of the following Services in Ireland; which are directed to be paid Nett in British Currency.						
Expense of the Board of Works in Ireland ...	20,051	0	0	8,005	1	4
Expense of Printing, Stationery, and other Disbursements of the Chief and Under Secretaries Offices and Departments, and other Public Offices in Dublin Castle, &c.; and for Riding Charges and other Expenses of the Deputy Pursuivants and Messengers attending the said Offices; also Superannuated Allowances in the Chief Secretary's Offices.....	15,886	0	0	11,660	11	0 $\frac{1}{4}$
Expense of publishing Proclamations and other matters of a public nature, in the Dublin Gazette and other Newspapers in Ireland...	6,500	0	0	5,060	18	8 $\frac{3}{4}$
Expense of Printing Statutes for the use of the Magistrates and Public Officers in Ireland .....	5,000	0	0	941	4	6 $\frac{1}{2}$
Expense of Criminal Prosecutions and other Law Expenses in Ireland .....	30,185	0	0	30,185	0	0
Expense of Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland	13,894	18	3 $\frac{1}{2}$	10,599	4	7 $\frac{1}{4}$
Salaries of the Lottery Officers in Ireland.....	1,072	12	4	849	4	7 $\frac{1}{2}$
Civil contingencies in Ireland .....	15,000	0	0	13,596	10	10 $\frac{3}{4}$
Expense of the Establishment, and for the Maintenance of Inland Navigations in Ireland .....	4,681	0	0	4,681	0	0
In aid of Schools established by Voluntary Contributions.....	10,000	0	0	—		
Salaries and Expenses of the Commissioners for inquiring into the Duties and Fees of the Officers of Courts of Justice in Ireland.....	7,324	0	0	5,474	0	8 $\frac{3}{4}$
Salaries and Expenses of the Commissioners of Inquiry into the Land Revenue of the Crown in Ireland .....	1,671	0	0	851	10	9 $\frac{1}{4}$
Salaries and Expenses of the Record Commissioners in Ireland .....	3,500	0	0	1,976	18	5 $\frac{1}{2}$
To pay Retired or Superannuation Allowances to Public Officers in Ireland.....	1,116	18	5	837	13	10 $\frac{1}{4}$
Expense of the Police and Watch Establishment of Dublin .....	26,000	0	0	26,000	0	0
For carrying on certain Public Works in Ireland .....	45,500	0	0	42,269	4	7 $\frac{1}{2}$
Expense of the Commissioners of Wide Streets in Dublin .....	10,000	0	0	10,000	0	0



SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Expense of the Royal Irish Academy .....	300	0	0	300	0	0
Expense of the Linen Board of Ireland .....	19,938	9	2 $\frac{3}{4}$	19,938	9	2 $\frac{3}{4}$
Expense of maintaining and disposing of the Children now in the Protestant Charter Schools of Ireland .....	21,615	0	0	15,615	0	0
Expense of the Society for discountenancing Vice .....	7,106	0	0	7,106	0	0
Expense of the Society for promoting the Education of the Poor of Ireland .....	22,000	0	0	22,000	0	0
Expense of the Foundling Hospital at Dublin	34,478	0	0	34,478	0	0
Expense of the House of Industry, Hospitals, and Asylums for industrious Children in Dublin .....	19,750	0	0	15,000	0	0
Expense of the Richmond Lunatic Asylum in Dublin .....	5,640	0	0	5,640	0	0
Expense of the Hibernian Society for Soldiers Children .....	7,500	0	0	7,500	0	0
Expense of the Hibernian Marine Society.....	1,600	0	0	1,600	0	0
Expense of the Female Orphan House in Dublin .....	1,761	0	0	1,761	0	0
Expense of the Westmorland Lock Hospital in Dublin .....	2,734	0	0	2,734	0	0
Expense of the Lying-in Hospital in Dublin	2,885	0	0	2,885	0	0
Expense of Dr. Steevens's Hospital .....	1,663	0	0	1,663	0	0
Expense of the Fever Hospital and House of Recovery .....	3,692	0	0	3,692	0	0
Expense of the Hospital for Incurables at Dublin .....	400	0	0	400	0	0
Expense of the Establishment of the Roman Catholic Seminary in Ireland .....	8,928	0	0	8,928	0	0
Expense of the Cork Institution .....	1,900	0	0	1,900	0	0
Expense of the Dublin Society .....	7,000	0	0	7,000	0	0
Expense of the Farming Society of Ireland ...	2,500	0	0	2,500	0	0
Expense of the Commissioners of Charitable Donations and Bequests.....	722	0	0	722	0	0
			18,533,254 12 7 $\frac{1}{4}$			
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1824 and 1825, remaining unpaid or unprovided for .....			50,000,000 0 0			
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for.....			413,800 0 0	27,432,200 0 0		
			48,947,054 12 7 $\frac{1}{4}$	41,862,434 19 1 $\frac{1}{4}$		



## PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums paid to 5th January, 1826.			Estimated further Mis- cellaneous Payments.		
	£.	s.	d.	£.	s.	d.
Grosvenor Charles Bedford, Esq. on his Salary for additional trouble in preparing Ex- chequer Bills, per Act 48 Geo. 3, c. 1 .....	150	0	0	50	0	0
Expenses in the Office of the Commissioners for inquiring into the Collection and Man- agement of the Revenue.....	4,000	0	0			
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 & 124, and 3 Geo. 4, c. 86	2,000	0	0			
Expenses in the Office of the Commissioners for issuing Exchequer Bills for building ad- ditional Churches, per Act 58 Geo. 3, c. 45	3,000	0	0			
Expenses incurred in the passing of the Act 5 Geo. 4, c. 90, for building additional Churches in Scotland.....	1,600	0	0			
Expired Exchequer Annuities claimed .....	52	10	0			
Paid to the Bank of England, more than re- ceived from them, to make up their Balance on account of unclaimed Dividends .....	44,249	0	3	1,795	3	8
	55,051	10	3	1,845	3	8
				55,051	10	3
TOTAL Payments for Services not voted .....				56,896	13	11
Amount of Sums voted .....				48,947,054	12	7 $\frac{1}{4}$
TOTAL Sums voted, and Payments for Services not voted ...				49,003,051	6	6 $\frac{1}{4}$

## WAYS AND MEANS

for answering the foregoing Services.

	£.	s.	d.
Duty on Sugar, and on Pensions, Offices, &c. ....	3,000,000	0	0
Trustees for the Payment of Naval and Military Pensions, and Civil Superannuations, per Act 3 Geo. 4, c. 51.....	4,470,370	0	0
East India Company, per Act 4 Geo. 4, c. 71 .....	60,000	0	0
Sum to be brought from the Consolidated Fund, per Act 6 Geo. 4, c. 14 .....	10,500,000	0	0
Surplus Ways and Means, per Act 6 Geo. 4, c. 134.....	439,166	9	10 $\frac{3}{4}$
Interest on Land Tax redeemed by Money .....	55	17	8 $\frac{3}{4}$
Repayments on account of Exchequer Bills issued pursuant to two Acts of the 57th year of his late Majesty, for carrying on Public Works and Fisheries in the United Kingdom .....	106,307	0	0
Exchequer Bills voted in Ways and Means; viz.	18,575,899	7	7 $\frac{1}{2}$
6 Geo. 4, c. 2 .....	£. 20,000,000	0	0
6 Geo. 4, c. 70 .....	10,500,000	0	0
	30,500,000	0	0
TOTAL Ways and Means .....	49,075,899	7	7 $\frac{1}{2}$
TOTAL Sums voted, and Payments for Services not voted .....	49,003,951	6	6 $\frac{1}{4}$
SURPLUS Ways and Means.....	71,948	1	1 $\frac{1}{4}$



PUBLIC

An Account of the State of the PUBLIC FUNDED DEBTS of GREAT  
January, 1826, including the Debt

DEBT.									
	1. CAPITALS.			2. CAPITALS redeemed and transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
GREAT BRITAIN.									
Debt due to the South Sea } Company ..... } at £. 3 per cent	3,662,784	8	6	-	-	-	3,662,784	8	6
Old South Sea Annuities ..... Do. ....	4,574,870	2	7	434,000	0	0	4,140,870	2	7
New South Sea Annuities ..... Do. ....	3,128,330	2	10	210,000	0	0	2,918,330	2	10
South Sea Annuities, 1751 ..... Do. ....	707,600	0	0	46,500	0	0	661,100	0	0
Debt due to the Bank of England Do. ....	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities, created in 1826.. Do. ....	1,000,000	0	0	437	10	9	999,562	9	3
Consolidated Annuities..... Do. ....	360,177,746	1	0	7,279,953	9	3	361,897,792	11	9
Reduced Annuities..... Do. ....	132,711,527	5	3	3,255,499	17	1	129,456,027	8	2
Total at £. 3 per cent..	529,649,658	0	2	11,226,390	17	1	518,423,267	3	1
Annuities .. .. . at £. 3½ per cent..	15,177,637	8	10	380,338	0	0	14,737,296	8	10
Reduced Annuities .. .. . do. ....	74,059,199	0	10	5,830,634	18	0	68,228,564	2	10
New £. 4 per cent Annuities .....	145,756,608	18	11	73,917	4	7	145,682,691	14	4
Great Britain.....	764,583,103	8	9	17,511,280	19	8	747,071,822	9	1
IN IRELAND.									
(In British Currency.)									
Irish Consolidated £. 3 per cent Annuities	2,238,528	19	7	-	-	-	2,238,528	19	7
Irish Reduced £ 3 per cent Annuities .....	1,031,425	14	9	-	-	-	1,031,425	14	9
£. 3½ per cent Debentures and Stock .....	13,919,552	13	9	474,794	8	1	13,444,758	5	8
Reduced £ 3½ per cent Annuities .....	1,691,008	6	9	366,938	19	3	1,324,069	7	6
Debt due to the Bank of Ireland, at £. 4 per cent.....	1,615,384	12	4	-	-	-	1,615,384	12	4
New £. 4 per cent Annuities .....	10,386,893	10	10	-	-	-	10,368,893	10	10
Debt due to the Bank of Ireland, at £. 5 per cent.....	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland.....	31,898,178	10	4	841,733	7	4	31,056,445	3	0
Total United Kingdom.....	796,481,281	19	1	18,353,014	7	0	778,128,267	12	1

	STOCK.		
	£.	s.	d.
Note.—The above Columns, 1 and 2, show the Totals of Debt for the United Kingdom, after deducting the Stock directed to be cancelled by various Acts of Parliament, and by redemption of Land Tax, amounting to .....	484,458,039	19	4



FUNDED DEBT.

BRITAIN and IRELAND, and of the CHARGE thereupon, at the 5th of created by 7,500,000*l.* raised in 1824.

CHARGE.

		IN GREAT BRITAIN.		IN IRELAND. (In Brit. Currency).		TOTAL ANNUAL CHARGE	
		£.	s. d.	£.	s. d.	£.	s. d.
Sinking Fund.	The Annual Sum of £5,000,000, directed to be issued per 4 Geo. 4, c. 19, towards the reduction of the National Debt of the United Kingdom .....	4,840,000	0 0	160,000	0 0		
	Annual Interest on Stock standing in the names of the Commissioners .....	548,379	17 11	29,460	13 4		
	Long Annuities .....	7,394	14 2	—			
		5,395,774	12 1	189,460	13 4		
Due to the Public Creditor.	Annual Interest on Unredeemed Debt .....	24,283,810	18 1	1,145,867	19 3		
	Long Annuities, expire 1860 .....	1,333,257	4 6	—			
	Life Annuities payable at the Exchequer, English .....	26,173	18 10	—			
	Do. .. Irish .....	35,461	7 9	7,035	4 8		
		25,678,703	9 3	1,152,903	3 11		
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax, under Schedules C. and D. 53 Geo. 3, c. 123 .....		8,752	11 3	—			
Management.....		276,053	15 8	774	2 3		
The Trustees of Military and Naval Pensions, and Civil Superannuations .....		2,800,000	0 0	—			
		34,159,284	8 4	1,343,137	19 6	35,502,422	7 11



ABSTRACT.

	CAPITALS.				CAPITALS transferred to the Commissioners.				CAPITALS unredeemed.				ANNUAL CHARGE.											
	£.		s. d.		£.		s. d.		£.		s. d.		Due to the Public Creditor.		MANAGEMENT.		SINKING FUND.		TOTAL.					
Great Britain .....	764,583,103	8	9 $\frac{3}{4}$		17,511,280	19	8	747,071,822	9	1 $\frac{3}{4}$		25,687,456	0	7	276,053	15	8	5,395,774	12	1 $\frac{3}{4}$	£.	s.	d.	
Ireland.....	31,898,178	10	4		841,733	7	4	31,056,445	3	0		1,152,903	3	11 $\frac{1}{2}$	774	2	3	189,460	13	4 $\frac{1}{4}$	(a)	—		
	796,481,281	19	1 $\frac{3}{4}$		18,353,014	7	0	778,128,267	12	1 $\frac{3}{4}$		26,840,359	4	6 $\frac{1}{2}$	276,827	17	11	5,585,235	5	6	—	—		
													2,800,000	0	0	—		—		—		—		
													29,640,359	4	6 $\frac{1}{2}$	276,827	17	11	5,585,235	5	6	35,502,422	7	11 $\frac{1}{4}$

The Trustees of Military and Naval Pensions and Civil Superannuations.....

Non-assented £. 4 per cents, vested in the Commissioners as £ 3<sup>1</sup>/<sub>2</sub> per cents, 5 Geo. 4, c. 45 .....

Purchased with the Sinking Fund .....

Transferred for Life Annuities .....

Stock Unclaimed, 10 years and upwards .....

Purchased with Unclaimed Dividends .....

Transferred for Redemption of Land Tax under Schedules C. D. 1, and D. 2 .....

Total transferred to the Commissioners, as above .....

£. s. d.

6,149,245 17 7

9,541,495 8 1

1,654,981 0 0

203,039 17 1

512,500 0 0

291,752 4 3

18,353,014, 7 0

(a) Chargeable with £. 553,945 1s. 6d. Life Annuities, per 48 Geo. 3, c. 142.

Do, with the sum of £. 91,800 Annuities for a Term of Years to the Trustees of the Waterloo Fund, per 59 Geo. 3, c. 34, payable by sundry Half-yearly Instalments.

Also with the Payment of £ 3,759,245 17s. 7d. (by Quarterly Instalments), being part of £. 6,149,245 17s. 7d. Non-assented £. 4 per cents vested in the Commissioners as £. 3<sup>1</sup>/<sub>2</sub> per cents, per 5 Geo. 4, c. 45.



# UNFUNDED DEBT.

An Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on the  
5th January, 1826.

	Provided.			Unprovided.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills, exclusive of £.3,756,300 issued for paying off £.4 per cents, the payment of which is charged on the Sinking Fund .....	-	-	-	30,771,650	0	0	30,771,650	0	0
Sums remaining unpaid, charged upon aids granted by Parliament.....	4,422,497	3	5¼	-	-	-	4,422,497	3	5¼
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain .....	655,441	12	10	-	-	-	655,441	12	10
Total Unfunded Debt, and Demands outstanding.....	5,077,938	16	3¼	30,771,650	0	0	35,849,588	16	3¼
Ways and Means .....	5,335,870	9	4¼	-	-	-	-	-	-
Surplus Ways and Means .....	257,931	13	1	-	-	-	-	-	-
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund..	-	-	-	5,548,817	9	7	5,548,817	9	7



FOREIGN TRADE OF GREAT BRITAIN.

An Account of the VALUE, as calculated at the Official Rates, of all IMPORTS into, and of all EXPORTS from, GREAT BRITAIN, during each of the three Years ending the 5th January 1826; stated exclusive of the Trade with Ireland.

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.						VALUE of the Produce and Manufactures of the United Kingdom, Exported from Great Britain, according to the Real and Declared Value thereof.								
				Produce and Manufactures of the United Kingdom.		Foreign and Colonial Merchandise.		TOTAL EXPORTS.										
				£.	s.	d.	£.	s.	d.		£.	s.	d.					
1824.....	£.	s.	d.	34,591,264	9	0	43,144,466	1	6	8,588,995	18	0	51,733,461	19	6	34,691,124	8	10
1825.....	£.	s.	d.	36,146,448	0	0	48,030,036	11	4	10,188,596	9	2	58,218,633	0	6	37,573,918	0	0
1826.....	£.	s.	d.	42,589,678	4	2	46,468,281	7	2	9,155,305	5	0	55,623,586	12	2	38,083,773	4	7

Inspector General's Office, Custom House, }  
London, 22nd March 1826.

WILLIAM IRVING,  
Inspector General of Imports and Exports.



## TRADE OF THE UNITED KINGDOM.

An Account of the VALUE of all IMPORTS into, and of all EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND, during each of the three Years ending the 5th January 1826 (calculated at the Official Rates of Valuation, and stated exclusive of the Trade between Great Britain and Ireland reciprocally).

YEARS ending 5th January.	VALUE OF IMPORTS, calculated at the Official Rates of Valuation		VALUE OF EXPORTS, calculated at the Official Rates of Valuation.				VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real and Declared Value thereof.			
	£.	s. d.	Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.		TOTAL EXPORTS.				
				£.	s. d.					
1824.....	35,798,707	5 0	43,804,372	18 1	8,603,904	9 1	52,408,277	7 2	35,458,048	13 6
1825.....	37,552,935	7 1	48,735,551	2 5	10,204,785	6 4	58,940,336	8 9	38,596,300	17 3
1826.....	44,137,482	6 0	47,166,020	2 11	9,169,494	8 3	56,335,514	11 2	38,877,388	7 6

Inspector General's Office, Custom House, }  
London, 22nd March 1826.

WILLIAM IRVING,  
Inspector General of Imports and Exports.



TRADE OF IRELAND.

An Account of the Value of all Imports into, and of all Exports from IRELAND, during each of the three Years ending the 5th January 1826 (stated exclusive of the Trade with GREAT BRITAIN).

YEARS ending 5th January.	VALUE OF IMPORTS into Ireland, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM IRELAND.			VALUE of the Produce and Manufactures of the United Kingdom, Exported from Ireland, according to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
	<div>£.</div> <div>s.</div> <div>d.</div>	<div>£.</div> <div>s.</div> <div>d.</div>	<div>£.</div> <div>s.</div> <div>d.</div>	<div>£.</div> <div>s.</div> <div>d.</div>	<div>£.</div> <div>s.</div> <div>d.</div>
VALUE, exclusive of the Trade with Great Britain. { 1824... 1825... 1826...	1,207,442 16 0 $\frac{1}{4}$	659,906 16 7 $\frac{1}{4}$	14,908 11 1 $\frac{1}{2}$	674,815 7 8 $\frac{3}{4}$	766,924 4 8 $\frac{1}{4}$
	1,406,487 7 1 $\frac{1}{4}$	705,514 11 0 $\frac{3}{4}$	16,188 17 2 $\frac{1}{4}$	721,703 8 3	822,382 17 3
	1,547,804 1 10 $\frac{1}{2}$	697,738 15 9	14,189 3 3	711,927 19 0	793,615 2 11 $\frac{1}{2}$



NEW VESSELS BUILT.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January, 1824, 1825, and 1826, respectively.

	In the Years ending 5th January.					
	1824.		1825.		1826.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	594	63,151	799	91,083	975	122,479
Isles Guernsey, Jersey, and Man .....	10	637	38	2,136	28	1,550
British Plantations .....	243	22,240	342	50,522	353	50,299
TOTAL .....	847	86,028	1,179	143,741	1,356	174,328

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and Boys usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 30th of September, in the Years 1823, 1824, and 31st of December, 1825, respectively.

	On 30th Sept. 1823.			On 30th Sept. 1824.			On 31st Dec. 1825.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
	20,573	2,275,995	147,058	20,803	2,321,953	149,742	20,087	2,298,836	146,703
United Kingdom .....	469	26,872	3,680	477	26,361	3,806	508	28,505	3,773
Isles Guernsey, Jersey, & Man .....	3,500	203,893	14,736	3,496	211,273	15,089	3,579	214,875	15,059
British Plantations .....									
TOTAL .....	24,542	2,506,760	165,474	24,776	2,559,587	168,637	24,174	2,542,216	165,535



## LIST OF GENERAL ACTS

*Passed in the SEVENTH Session of the SEVENTH Parliament of the United Kingdom of Great Britain and Ireland—7 Geo. IV. 1826.*

- I. AN Act for granting and applying certain sums of money for the service of the year one thousand eight hundred and twenty-six.
- II. An Act for raising the sum of ten millions by exchequer bills, for the service of the year one thousand eight hundred and twenty-six.
- III. An Act to indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for those purposes respectively.
- IV. An Act to amend an Act of the last session of parliament, for making provision for the salaries of certain bishops, and other ecclesiastical dignitaries and ministers, in the diocese of Jamaica, and in the diocese of Barbadoes and the Leeward Islands, and for enabling his Majesty to grant annuities to such bishops upon the resignation of their offices.
- V. An Act to give effect to treaties of commerce with countries in America not at present provided with national merchant shipping.
- VI. An Act to limit, and after a certain period to prohibit, the issuing of promissory notes under a limited sum in England.
- VII. An Act to facilitate the advancing of money by the governor and company of the Bank of England upon deposits or pledges.
- VIII. An Act to amend so much of an Act of the last session of parliament, for regulating the qualification and the manner of enrolling jurors in Scotland, and of choosing jurors in criminal trials there, and to unite counties for the purposes of trial in cases of high treason in Scotland, as relates to the qualification of special jurors.
- IX. An Act to provide for the more effectual punishment of certain offences in Ireland, by imprisonment with hard labour.
- X. An Act for punishing mutiny and desertion; and for the better payment of the army and their quarters.
- XI. An Act for the regulating of his Majesty's royal marine forces while on shore.
- XII. An Act for exonerating a certain estate called Maes Llemystin, situate in the parish of Llangadfan in the county of Montgomery, belonging to Charles Dallas, esq., from the claims of the crown.
- XIII. An Act to alter and amend an Act passed in the fifty-fourth year of the reign of his late Majesty king George the Third, for vesting in his majesty, his heirs and successors, for ever, part of the ground and buildings now belonging to the society of King's Inns, Dublin, for erecting thereon a repository for public records in Ireland.
- XIV. An Act for the further amendment of an Act of the first and second years of his present Majesty, for the establishment of asylums for the lunatic poor in Ireland.
- XV. An Act to amend an Act passed in the seventh and eighth year of the reign of king William the third, for the more easy recovery of small tithes.
- XVI. An Act to consolidate and amend several acts relating to the royal hospitals for soldiers at Chelsea and Kilmainham.
- XVII. An Act for remedying inconveniences in the administration of justice, arising from the present vacancy of the see of Durham, and for preventing the like in future.
- XVIII. An Act to authorise the disposal of unnecessary prisons in England.
- XIX. An Act to repeal two Acts of the parliament of Scotland, relative to assault and battery *pendente lite*.



- XX. An Act to continue an Act of the first and second years of his present Majesty, for granting for the term of five years additional stamp duties on certain proceedings in the courts of law in Ireland.
- XXI. An Act for the better regulating proceedings on writs of mandamus, in Ireland.
- XXII. An Act to enable persons to continue their compositions for assessed taxes for further periods, and for allowing persons who have not compounded to enter into a composition for a limited term.
- XXIII. An Act to repeal the duties and drawbacks of excise upon tawed kid skins, sheep skins, and lamb skins.
- XXIV. An Act for fixing, until the twenty-fifth day of March one thousand eight hundred and twenty-seven, the rates of subsistence to be paid to innkeepers and others on quartering soldiers.
- XXV. An Act to continue until the fifth day of July one thousand eight hundred and twenty-eight, an Act for preventing private distillation in Scotland.
- XXVI. An Act for continuing to his majesty for one year certain duties on personal estates, offices, and pensions in England, for the service of the year one thousand eight hundred and twenty-six.
- XXVII. An Act to defray the charge of the pay, clothing, and contingent and other expenses of the disembodied militia in Great Britain and Ireland; and to grant allowances in certain cases to subaltern officers, adjutants, quarter-masters, surgeons, assistant surgeons, surgeons mates, and serjeant-majors of militia, until the twenty-fifth day of March one thousand eight hundred and twenty-seven.
- XXVIII. An Act for exonerating certain estates called Corsica Hall, Alfriston, Maff Alfriston otherwise Maffe Alfryston, and Dean Place, in the county of Sussex, belonging to John Henry Tilson, esq. from the claims of the crown.
- XXIX. An Act to amend the law of Ireland respecting the assignment and sub-letting of lands and tenements.
- XXX. An Act to amend the several Acts for authorising advances for carrying on public works, and to extend the provisions thereof in certain cases.
- XXXI. An Act to amend an Act passed in the fifty-second year of the reign of his late Majesty king George the Third, so far as the same relates to the retired allowances of quarter-masters of cavalry and infantry.
- XXXII. An Act to amend an Act for suppressing or regulating certain offices therein mentioned, so far as relates to the board of trade.
- XXXIII. An Act to make further regulations relating to the licensing of stage coaches.
- XXXIV. An Act to amend an Act of the fifth year of his present Majesty, for amending the several Acts for the encouragement and improvement of the British and Irish fisheries.
- XXXV. An Act to enable incapacitated persons to convey to the commissioners and governors of the royal hospital for seamen at Greenwich, in the county of Kent, certain premises situate in the parish of Greenwich in the said county, and for other purposes relating thereto.
- XXXVI. An Act to regulate the service of the process of the several courts for the recovery of small debts by civil bill in Ireland.
- XXXVII. An Act to regulate the appointment of juries in the East Indies.
- XXXVIII. An Act to enable commissioners for trying offences upon the sea, and justices of the peace, to take examinations touching such offences, and to commit to safe custody persons charged therewith.
- XXXIX. An Act for funding eight millions of exchequer bills.
- XL. An Act to authorize the lords commissioners of his Majesty's treasury to advance money out of the consolidated fund towards the expenses of rebuilding London Bridge.
- XLI. An Act to amend the laws for the recovery of small debts, and the proceedings for that purpose, in the manor courts in Ireland.
- XLII. An Act to amend the laws in force in Ireland for preventing the vexatious impounding of cattle for trespass or damage feasant.
- XLIII. An Act to amend the laws in force in Ireland relating to conveyances and transfers of estates and funds vested in trustees.
- XLIV. An Act to allow, until the tenth day of October one thousand eight hundred and twenty-six, the enrolment



- of certain articles of clerkship ; to prevent attornies and others from being prejudiced in certain cases by the neglect to take out their annual certificates ; to prohibit the stamping articles of clerkship after a certain time ; and to extend the period for taking out certificates after matriculation at the universities.
- XLV. An Act for repealing an Act passed in the thirty-ninth and fortieth years of the reign of his late Majesty king George the Third, intituled An Act for relief of persons entitled to entailed estates to be purchased with trust monies, and for making further provisions in lieu thereof.
- XLVI. An Act for the better regulating copartnerships of certain bankers in England ; and for amending so much of an Act of the thirty-ninth and fortieth years of the reign of his late Majesty king George the Third, intituled An Act for establishing an agreement with the governor and company of the Bank of England, for advancing the sum of three millions towards the supply for the service of the year one thousand eight hundred, as relates to the same.
- XLVII. An Act to allow, until the fifth day of April, one thousand eight hundred and thirty, certain bounties on the exportation from Ireland of salmon, red herrings, and dried sprats.
- XLVIII. An Act to alter and amend the several laws relating to the customs.
- XLIX. An Act to amend several laws of excise relating to bonds on excise licences in Ireland, tiles and bricks for draining, oaths on exportation of goods, permits for the removal of tea in Ireland, size of casks in which spirits may be warehoused in Scotland and Ireland, the allowance of duty on starch and soap used in certain manufactures, and the repayment of money advanced by collectors of excise for public works in Ireland.
- L. An Act for raising the sum of thirteen millions two hundred thousand pounds by exchequer bills, for the service of the year one thousand eight hundred and twenty-six.
- LI. An Act to confirm sales made by the surveyor general and the commissioners of the land revenue of the crown, under an Act of the forty-eighth year of his late majesty.
- LII. An Act for defraying the expense of any additional naval force to be employed in the East Indies.
- LIII. An Act to regulate the importation of silk goods until the tenth day of October one thousand eight hundred and twenty-eight, and to encourage the silk manufactures by the repeal of certain duties.
- LIV. An Act for the registration of aliens.
- LV. An Act to regulate the manner of taking the poll at elections of knights of the shire to serve in parliament for the county of York.
- LVI. An Act to suspend the provisions of an Act of his late majesty, respecting the appointment of writers in the service of the East India company, and to authorize the payment of the allowances of the civil and military officers of the said company dying while absent from India.
- LVII. An Act to amend and consolidate the laws for the relief of insolvent debtors in England.
- LVIII. An Act to amend the laws relating to corps of yeomanry, cavalry, and volunteers in Great Britain.
- LIX. An Act to continue for seven years, and from thence to the end of the then next session of parliament, an Act to the fifty-ninth year of his late majesty, for facilitating the recovery of the wages of seamen in the merchant service.
- LX. An Act to prevent the wilful and malicious destruction of dwelling houses in Ireland.
- LXI. An Act for the more effectual administration of justice in cities, towns corporate, and other local jurisdictions in Ireland.
- LXII. An Act to make provision for the uniform valuation of lands and tenements in the several baronies, parishes, and other divisions of counties in Ireland, for the purpose of the more equally levying of the rates and charges upon such baronies, parishes, and divisions respectively.
- LXIII. An Act to provide for repairing, improving, and rebuilding shire halls, county halls, and other buildings for holding the assizes and grand sessions, and also judges lodgings, throughout England and Wales.
- LXIV. An Act for improving the administration of criminal justice in England.
- LXV. An Act to continue until the first day of January 1827, and to the



end of the next session of parliament, an Act of the third year of his present majesty, for regulating the manner of licensing alehouses in England.

LXVI. An Act to render more effectual the several Acts now in force to promote the residence of the parochial clergy, by making provision for purchasing houses and other necessary buildings for the use of their benefices.

LXVII. An Act to regulate the mode in which certain societies or copartnerships for banking in Scotland may sue and be sued.

LXVIII. An Act to amend so much of an Act of the thirty-first year of his late majesty, as relates to the election of members to serve in the legislative assembly of the province of Upper Canada.

LXIX. An Act to amend the law in respect to the offence of stealing from gardens and hothouses.

LXX. An Act to permit foreign corn, meal, and flour, warehoused, to be taken out for home consumption, until the sixteenth day of August 1826.

LXXI. An Act to empower his majesty to admit foreign corn for home consumption, under certain limitations, until the first day of January 1827, or for six weeks after the commencement of the then next ensuing session of parliament, if parliament shall not then be sitting.

LXXII. An Act to consolidate and amend the laws which regulate the levy and application of church rates and parish cesses, and the election of churchwardens, and the maintenance of parish clerks, in Ireland.

LXXIII. An Act to consolidate the laws in force in Ireland for the disappropriation of benefices annexed to the dignities, and for the appropriation of others in their stead, and for uniting benefices with dignities, and to make further provisions for the like purposes.

LXXIV. An Act for consolidating and amending the laws relating to prisons in Ireland.

LXXV. An Act to explain an Act of the fifty-third year of the reign of his late majesty, respecting the enrolment of memorials of grants of annuities.

LXXVI. An Act for further extending the powers of an Act for vesting in commissioners the bridges building

over the Menai Straits and the river Conway, and the harbours of Howth and Holyhead, and the road from Dublin to Howth, and for the further improvement of the road from London to Holyhead.

LXXVII. An Act to extend to Charing Cross, the Strand, and places adjacent, the powers of an Act for making a more convenient communication from Mary-le-bone Park; and to enable the commissioners of his majesty's woods, forests, and land revenues to grant leases of the site of Carlton palace.

LXXVIII. An Act to vest in the commissioners of his majesty's woods, forests, and land revenues, the powers of several Acts for the improvement of the streets near Westminster Hall and the houses of parliament; and to authorize the conversion of the pavements in several parts of the metropolis into broken stone roads.

LXXIX. An Act for applying a sum out of the consolidated fund, and the surplus of the grants of the year 1825, to the service of the year 1826; and for further appropriating the supplies granted in this session of parliament.

## PUBLIC ACTS

*Of a Local and Personal Nature,  
to be noticed by the Courts.*

i. An Act to repeal two Acts relating to the employment of the poor within the hundreds of Loes and Wilford in the county of Suffolk, and to disincorporate the said hundreds.

ii. An Act for enabling the company of proprietors of the Witham navigation to complete the drainage and navigation by the river Witham; and to raise a further sum of money for that purpose.

iii. An Act for the appropriation of two chapels as chapels of ease to the parish church of Brighthelmston in the county of Sussex.

iv. An Act for maintaining and repairing the bridge over the river Avon, at or near Stratford-upon-Avon, in the county of Warwick, and for widening and improving the approaches thereto.

v. An Act for enlarging the present market, and establishing fish markets, in the town and port of Dover in the



- county of Kent; and for removing the elections of members and of mayors of the said town from the church of St. Mary the Virgin in Dover.
- vi. An Act for lighting, watching, paving, cleansing, and improving the streets, highways, and places within the town and borough of Newport in the county of Monmouth.
- vii. An Act for enlarging the market house and regulating the markets within the borough of Bridgwater in the county of Somerset; for paving, cleansing, lighting, and watching the streets, lanes, and other public passages and places within the said borough or adjacent thereto, and for the improvement thereof.
- viii. An Act for lighting with gas the several townships of Macclesfield, Sutton, and Hurdsfield, all in the parish of Prestbury in the county Palatine of Chester.
- ix. An Act for making and maintaining a turnpike road from Cannock in the county of Stafford to Penkridge in the same county.
- x. An Act for making and maintaining a turnpike road from Worthing to Lancing in the county of Sussex, and groynes, embankments, and other sea defences, for protecting such road and the lands adjoining from the future encroachments of the sea.
- xi. An Act for improving the road from Collingham in the West Riding of the county of York to the city of York; and for making certain diversions from such road.
- xii. An Act for more effectually repairing and maintaining the road from Chippenham Bridge in the county of Wilts to the top of Togg-hill in the county of Gloucester, and several other roads therein mentioned, in the said counties and in the county of Somerset, called the Marshfield district.
- xiii. An Act for making and maintaining a road from Godalming, through Hascomb, to Pains-hill, in the county of Surrey.
- xiv. An Act for improving the turnpike road from Knaresborough to the junction of the road from Ripon to Pately Bridge in the West Riding of the county of York.
- xv. An Act for maintaining and improving the road leading from Pengate in the parish of Westbury to a place formerly called Price's Warren Gate, at Tinhead in the parish of Edington in the county of Wilts, and other roads near or adjoining the said roads, in the counties of Wilts and Somerset.
- xvi. An Act for more effectually repairing and improving the roads from Manchester in the county palatine of Lancaster to Salters Brook in the county palatine of Chester, and for making and maintaining several extensions or diversions of road, and a new branch of road to communicate therewith,
- xvii. An Act for making and maintaining a turnpike road from South Shields to White Mere Pool, and from thence to join the Durham and Newcastle turnpike road at Vigo-lane, with a branch from Jarrow Slake to East Boldon, all in the county of Durham.
- xviii. An Act for amending and maintaining the road leading from the turnpike road on Farrard's Common in the parish of Bradford, through Holt and Melksham, to Homan's Stile in the parish of Laycock in the county of Wilts, and the road leading therefrom to the Bath turnpike road upon Kingsdown-hill in the same county.
- xix. An Act for making and maintaining a turnpike road, commencing at or near a certain house called The Shrewsbury Arms, situate at Hinderton in the township of Little Neston, by way of Upton, and terminating in the township of Hoose, and from Upton aforesaid to the township of Birkenhead, and also certain branches of road to communicate therewith, all in the county palatine of Chester.
- xx. An Act for amending an Act of his present majesty, for repairing the Road from Sandon in the county of Stafford to Bullock Smithy in the county of Chester, and from Hilderstone to Draycot in the Moors, and from Wettley Rocks to Tean, in the county of Stafford, so far as relates to the Macclesfield district of road; and for making a diversion of road in the said district.
- xxi. An Act for making and maintaining a road from Ridghill and lanes, in the parish of Ashton-under-lyne in the county palatine of Lancaster, to or near to Holehouse in Saddleworth in the West Riding of the county of York.
- xxii. An Act for repairing the road



- from Birmingham to Watford Gap, in the parish of Sutton Coldfield in the county of Warwick, and other roads communicating therewith.
- xxiii. An Act for making and maintaining a turnpike road from Arrow in the county of Warwick to Pot Hooks End in the county of Worcester, and from Dunnington in the said county of Warwick to Crab's Cross in the said county of Worcester.
- xxiv. An Act for more effectually repairing the roads from Littlegate at the top of Leadenham-hill in the county of Lincoln to Newark-upon-Trent, and from Newark-upon-Trent to Mansfield, and from Southwell to the south end of the town of Oxtun, in the county of Nottingham.
- xxv. An Act for repairing, widening, and improving the several roads leading to and from the city of Exeter, and for making certain new lines of road to communicate with the same; and for keeping in repair Exe Bridge and Countess Wear Bridge.
- xxvi. An Act for more effectually repairing the road leading from the bounds of the counties of Limerick and Cork, between the towns of Kilmallock and Charleville, to the city of Cork.
- xxvii. An Act for more effectually repairing, widening, and improving the road from the city of Norwich to Scole Bridge in the county of Norfolk.
- xxviii. An Act for more effectually repairing and improving the road from the Brighthelmston road at Pyecombe to Warninglid Cross in the parish of Cuckfield, and from Pyecombe to the Henfield road at Poynings Common, in the county of Sussex, and for making a new road from Warninglid Cross to Hand Cross in the said county.
- xxix. An Act for making and maintaining a turnpike road from Wimpole in the county of Cambridge to Wrestlingworth in the county of Bedford, and from Wrestlingworth to Potton, both in the said county of Bedford.
- xxx. An Act for making and maintaining a navigable canal from the Peak Forest canal, in the township of Marple, in the county palatine of Chester, to join the canal navigation from the Trent to the Mersey at or near Harding's Wood Lock in the township or hamlet of Talk or Talk-on-the-Hill in the county of Stafford,
- xxxi. An Act to amend an Act for separating the management of the harbour of Margate, in the county of Kent, from the paving and lighting of the town of Margate, and for vesting the future management of the said harbour in a joint-stock company of proprietors.
- xxxii. An Act to enable his majesty to license a playhouse within the town and port of Ramsgate in the Isle of Thanet in the county of Kent.
- xxxiii. An Act for the better and more effectually supplying with water the inhabitants of the several parishes of St. Mary, St. Lawrence, and St. Giles, Reading, in the county of Berks.
- xxxiv. An Act for embanking, draining, and otherwise improving lands in the parishes of Metheringham and Dunston in the county of Lincoln.
- xxxv. An Act for lighting, watching, cleansing, and otherwise improving the Camberwell New Road, the Lambeth Wyke Estate, and other places in the vicinity thereof, in the parishes of Lambeth, Camberwell, and Newington, in the county of Surrey.
- xxxvi. An Act for lighting with gas the town of Burnley cum Habergham Eaves, otherwise the townships of Burnley and Habergham Eaves, within the parish of Whalley, in the county palatine of Lancaster.
- xxxvii. An Act for lighting with gas the village of Heywood, within the parish of Bury, in the county palatine of Lancaster.
- xxxviii. An Act for enabling the Glasgow Gas-light company to raise a farther sum of money for the use of their works, and for other purposes relating thereto.
- xxxix. An Act for more effectually repairing and improving the roads leading from Pick's-hill, near the town of Langport Eastover in the county of Somerset, through High Ham, Ashcott, and other places, to Meare in the said county.
- xl. An Act for making and maintaining a turnpike road from the Great North Road, at Barnby Moor in the county of Nottingham, to the turnpike road leading from Bawtry to Tinsley in the county of York, and from the said Bawtry and Tinsley turnpike road, at the north-east end of Blackhill Lane, to the town of Rotherham in the said county of York.
- xli. An Act for further continuing,



until the first day of August 1829, and from thence to the end of the then next session of parliament, the powers granted by an act of the forty-sixth year of his late majesty, for enabling the commissioners acting in execution of an agreement made between the East India company and the private creditors of the nabobs of the Carnatic, the better to carry the same into effect.

- xl. An Act for building a new bridge well or house of correction for the city and liberty of Westminster.
- xli. An Act for erecting and maintaining a harbour, and works connected therewith, in the Frith of Cromarty, at or near the village of Invergordon in the county of Ross.
- xlii. An Act for making and constructing a canal from the town of Alford in the county of Lincoln, to the sea, at or near the village of Anderby in the same county, with a basin, harbour, and piers.
- xliii. An Act to alter and amend the Edinburgh and Glasgow Union canal Acts, and to enable the company to borrow a further sum of money.
- xliiii. An Act for making and maintaining a railway or tramroad from Heck Bridge in the parish of Snaith to Wentbridge in the parish of Kirk-smeaton, all in the West Riding of the county of York.
- xlv. An Act for maintaining an existing public railway from the summit of the hill above Churchway Engine in the forest of Dean to Cinderford Bridge, and for making public a private railway from thence to the river Severn at or near Bullo Pill, all in the county of Gloucester; and for amending an Act of his late majesty relating to the said railways.
- xlvi. An Act for making a railway from Arbuckle and Ballochney, in the parish of New Monkland in the county of Lanark, to or near the termination of the Monkland and Kirkintilloch railway at Kipps or Kippbyres, also in the said parish of New Monkland and county of Lanark.
- xlvii. An Act for making and maintaining a railway or Tramroad from the town of Liverpool to the town of Manchester, with certain branches therefrom, all in the county of Lancaster.
- 1. An Act for building a church or chapel of ease in the township of

Ripon in the West Riding of the county of York.

- li. An Act for erecting and endowing a church in the parish of Liverpool in the county palatine of Lancaster, to be called the church of St. David.
- lii. An Act for providing an additional cemetery in the parish of Liverpool in the county palatine of Lancaster.
- liii. An Act for further improving the communication between the counties of Edinburgh and Fife, by the Ferries cross the Frith of Forth, between Leith and Newhaven, and Kinghorn, Burnt-island, and Dysart.
- liv. An Act for extinguishing tithes and customary payments in lieu of tithes and Easter offerings, within the parish of St. Giles Cripplegate in the liberties of the city of London; and for making compensation to the vicar for the time being in lieu thereof.
- lv. An Act for erecting and providing a new corn exchange at or near Mark Lane in the city of London.
- lvi. An Act for better paving, lighting, cleansing, watching, and otherwise improving the borough of Reading in the county of Berks.
- lvii. An Act for widening and improving certain streets in the town of Liverpool in the county palatine of Lancaster; for the further prevention of nuisances and annoyances in the said town; for the regulation of weighing machines, weights, and measures, and the establishment of a fire police therein.
- lviii. An Act for paving, lighting, watching, repairing, and otherwise improving Grosvenor Place, and several streets, squares, lanes, and other public places now existing, and which shall hereafter be formed, upon certain grounds in the several parishes of St. George Hanover Square and St. Luke Chelsea, in the county of Middlesex.
- lix. An Act for building a bridge over the river Severn, at or near Holt Fleet, in the parishes of Holt and Ombersly in the county of Worcester; and for making approaches to such bridge.
- lx. An Act to authorize the building a bridge in Belvidere Road in the parish of St. Mary Lambeth in the county of Surrey.
- lxi. An Act for altering, amending, and enlarging the powers and provisions



- of an Act relating to the Tewkesbury Severn bridge and roads.
- lxii. An Act for building a bridge over the river Virniew near Llanymynech, and making roads, embankments; and approaches thereto, in the several counties of Montgomery, Salop, and Denbigh, on the road leading from Liverpool to Carmarthen, and for several other purposes relating thereto.
- lxiii. An Act for the better ascertaining and collecting the poor and other rates in the parish of All Saints Wandsworth in the county of Surrey.
- lxiv. An Act for better lighting and watching the town of Portsea in the county of Southampton; and for amending an Act passed in the thirty-second year of his late majesty, for paving, cleansing, and regulating the streets and public places within the said town, and removing and preventing nuisances and annoyances therein.
- lxv. An Act to amend an Act for opening a street from the cross of Glasgow to Monteith Row.
- lxvi. An Act to alter, amend, and enlarge the powers of an Act of his present majesty's reign, for lighting with gas the city of Norwich, and county of the same city.
- lxvii. An Act for placing certain lands belonging to the township of Oldham, in the parish of Prestwich-cum-Oldham in the county of Lancaster, under the management of trustees; and for making conveyances thereof at annual rents, for the benefit of the poor of the said township.
- lxviii. An Act for establishing and well-governing the institution called "The School for the Indigent Blind," and for incorporating the subscribers thereto, and the better enabling them to carry on their charitable and useful designs.
- lxix. An Act for regulating and converting the statute labour in the county of Kinross, and for more effectually making and repairing the highways within the said county.
- lxx. An Act for more effectually repairing and otherwise improving the road leading from Maidenhead Bridge to the thirty-three mile stone towards Reading, and from the said road at the east entrance on Maidenhead thicket to the 30 mile stone towards Henley, in the county of Berks.
- lxxi. An Act for more effectually maintaining so much of the road from Richmond in the county of York to Lancaster in the county of Lancaster, and from Gilling to the turnpike road on Gatherly Moor, as relates to the western district of the said road, and for altering and diverting certain parts of the said western district of the said road.
- lxxii. An Act for more effectually repairing the roads from Kirkby Steven High-lane-head, through Sedburgh, to Gretna Bridge, and other roads communicating therewith, in the several counties of Westmoreland, Lancaster, and York; and for diverting, extending, and altering some of the said roads.
- lxxiii. An Act for repairing the road from the thirty-three mile-stone in the parish of Ruseombe in the county of Berks towards Reading, to a place called the Seven Mile Stone in the parish of Beenham in the same county, and a certain other road communicating therewith.
- lxxiv. An Act for making and maintaining a turnpike-road leading out of the Alstone turnpike-road at Branch End in the county of Northumberland, through Catton, Allendale town, and Allenheads, to Cows Hill in the county of Durham, with several branches therefrom.
- lxxv. An Act for more effectually amending, widening, altering, improving, and maintaining the road from the town of Alnwick in the county of Northumberland, by Eglington and Chatton, to the great north turnpike-road near to Haggerston toll-bar in the county of Durham.
- lxxvi. An Act for more effectually repairing the roads between Tyburn and Uxbridge, and the road leading from Brent bridge over Hanwell heath to the great western road, and also for making and maintaining a turnpike road from the Uxbridge road at Shepherd's Bush common to the said great western road near Turnham green, all in the county of Middlesex; and for lighting, watching, and watering the said roads.
- lxxvii. An Act for more effectually repairing so much of the road from Henley bridge to Maidenhead thicket as lies between the said bridge and the thirtieth mile stone from London,



in the parish of Bisham in the county of Berks.

lxxviii. An Act for making, maintaining, and repairing certain roads leading into and from the town of Tewkesbury in the county of Gloucester, towards the cities of Gloucester and Worcester, and the towns of Cheltenham, Stow-on-the-Wold, Evesham, and Pershore, and certain other roads therein mentioned, in the counties of Gloucester and Worcester.

lxxix. An Act for more effectually repairing the road from Ashborne in the county of Derby to Leek in the county of Stafford, and from Rycroft gate upon Rushton common to Congleton in the county of Chester.

lxxx. An Act for making and maintaining a turnpike-road from a place called Coxbridge, near Farnham in the county of Surrey, to Ramshill near Petersfield in the county of Southampton.

lxxxi. An Act for making and maintaining a road from the top of Hunt's Bank in the town of Manchester in the county of Lancaster, to join the present Manchester and Bury turnpike-road in Pilkington in the said county.

lxxxii. An Act for more effectually repairing and improving the road from West Houghton to near Halliwell-field in the township of Heath Charnock in the county of Lancaster.

lxxxiii. An Act for making into a turnpike-road a road leading from the cross gate in the parish of Swineshead to the southern extremity of the parish of Fosdyke in the county of Lincoln, and repairing and maintaining the same.

lxxxiv. An Act for more effectually making, repairing, and improving certain roads leading to and from Liskeard, and certain other roads therein mentioned, in the counties of Cornwall and Devon.

lxxxv. An Act for repairing the roads from Spalding High bridge to the market place in Donington, and from the tenth mile stone in the parish of Gosbertown to the eighth mile stone in the parish of Wigtoft in the county of Lincoln.

lxxxvi. An Act for more effectually repairing the road from Flint to the

Lower King's Ferry, and for making and maintaining two new branches of roads from the Lower King's Ferry aforesaid to or near to the town of Mold, all in the county of Flint.

lxxxvii. An Act for more effectually amending and keeping in repair the road called The Hulton Turnpike Road, lying between Knocket Wall Brook and the White Horse in West Houghton, in the county Palatine of Lancaster.

lxxxviii. An Act for amending, repairing, and maintaining the turnpike-road from the south-end of the town of Rotherham in the county of York, to the present turnpike-road near Pleasley in the county of Derby.

lxxxix. An Act for amending, repairing, and maintaining the turnpike-road from Tinsley in the county of York, to the town of Doncaster in the said county.

xc. An Act for making a turnpike-road from Saint John's chapel in the parish of Saint Mary-le-bone, to the north-east end of Ballard's-lane, abutting upon the north road in the parish of Finchley, with a branch therefrom, in the county of Middlesex.

xc. An Act for more effectually repairing and improving the road leading from Paddington to Harrow-on-the-Hill in the county of Middlesex; and for making certain new lines of road to communicate with the same.

xcii. An Act for more effectually repairing and improving several roads leading to and from the towns of Newton Bushell, South Bovey, and Moretonhampstead, in the county of Devon.

xciii. An Act for making and maintaining a turnpike-road from Gomersal to Dewsbury in the West Riding of the county of York, with two branch roads therefrom.

xciv. An Act for enabling the Company of Proprietors of the Leominster Canal to raise further sums of money to discharge their debts and to complete the canal, and for amending the acts for making and maintaining the said canal, and for granting to the said company further and other powers.

xcv. An Act for making a navigable



- canal from the Staffordshire and Worcestershire canal, in the parish of Tettenhall in the county of Stafford, to the united navigation of the Ellesmere and Chester canals, in the parish of Acton in the county Palatine of Chester.
- xvii. An Act to amend an Act for making a canal from Counter's-bridge, on the road from London to Hammer-smith, to the river Thames in the county of Middlesex; and to enable the Kensington Canal Company to raise a further sum of money for the completion of the said canal.
- xviii. An Act for improving the navigation of the river Dun, and for altering the course thereof, by making certain new cuts or canals from the same; and for amending, altering, and enlarging the powers granted to the company of proprietors by several acts now in force.
- xix. An Act for making and maintaining a railway from Edinburgh to the south side of the river North Esk, near Dalkeith and Newbattle, with branches therefrom, all in the county of Edinburgh.
- xx. An Act for making and maintaining a railway or tramroad from Manchester to Oldham, with a branch from Failsworth Pole to or near to Dry Clough in the township of Royton, all in the county Palatine of Lancaster.
- xxi. An Act for making and maintaining a tramroad or railway from the end of the Grosmont railway at Monmouth Cap in the parish of Llangua in the county of Monmouth, to Wye bridge in the parish of Saint Martin within the liberties of the city of Hereford.
- xxii. An Act for making a railway from the royal burgh and port of Dundee in the county of Forfar, to Newtyle in the said county.
- xxiii. An Act for making and maintaining a railway or tramroad from or from near a certain place called Aber Dulais, to or near to a certain other place called Cwm Dulais, both in the parish of Cadoxton-juxta-Neath in the county of Glamorgan.
- xxiv. An Act for making a railway from the Monkland and Kirkintilloch railway, by Garnkirk, to Glasgow.
- xxv. An Act for raising money for building a crypt and tower to the additional church erecting in the parish of Saint Mary Magdalen, Bermondsey, in the county of Surrey; for vesting the said church and the burial ground thereof in trustees; and for other purposes relating thereto.
- xxvi. An Act to alter and amend several acts made in the twenty-eighth, thirty-eighth, thirty-ninth, forty-fifth, forty-seventh, and fifty-third years of the reign of his late majesty, for enlarging and improving the harbour of Leith, and to appoint commissioners for the superintendence and management of the said harbour and docks, and for other purposes connected therewith.
- xxvii. An Act for constructing a bridge across Sutton Wash otherwise called Cross Keys Wash, between the counties of Lincoln and Norfolk.
- xxviii. An Act for widening and improving the bridge of Irvine, for making streets communicating thereto, and for more effectually enlarging, deepening, improving, and maintaining the harbour of Irvine in the county of Ayr.
- xxix. An Act for more effectually supplying the city of Edinburgh and places adjacent with water; and for supplying the town and port of Leith and places adjacent, and his majesty's dock yards at Leith, with water.
- xxx. An Act for supplying with water the town and neighbourhood of Birmingham in the county of Warwick.
- xxxi. An Act for better supplying the inhabitants of the city of Chester with water.
- xxxii. An Act for better supplying with water the inhabitants of the town of Nottingham and its vicinity.
- xxxiii. An Act for lighting the royal burgh of Inverness, suburbs thereof, and places adjacent, with gas, and supplying the same with water.
- xxxiv. An Act for amending and enlarging the powers of an act passed in the seventeenth year of the reign of his late majesty, for the better relief and employment of the poor of the parish of Saint Mary Abbots, Kensington, in the county of Middlesex, and for other purposes therein mentioned, and for better regulating the said parish.
- xxxv. An Act to amend an act of the thirty-ninth year of his late majesty, for the better relief and



- employment of the poor of the parish of Saint Bridget, otherwise Saint Bride, Fleet-street, in the city of London.
- cxv. An Act to explain and amend an act of the third year of the reign of his present majesty, intituled An Act for watching, cleansing, and lighting the streets of the city of Edinburgh and adjoining districts; for regulating the police thereof; and for other purposes relating thereto.
- cxvi. An Act for extinguishing tithes and customary payments in lieu of tithes within that part of the parish of Saint Botolph without, Aldersgate, which is situate in the city of London; and for making compensation in lieu thereof; and for increasing the provision for the incumbent of the same parish.
- cxvii. An Act for paving, watching, lighting, cleansing, and improving the township of Oldham in the county of Lancaster; and for regulating the police thereof.
- cxviii. An Act for lighting, cleansing, watching, and otherwise improving the streets, lanes, and other public passages and places within the town of Stockport in the county Palatine of Chester; and for regulating the police of the said town.
- cxix. An Act for regulating the police of the burgh of Anderston and lands of Lancefield and others adjoining the said burgh, in the county of Lanark; paving, cleansing, and lighting the streets and passages of the said district; and for erecting a court house and gaol therein.
- cxx. An Act for paving, lighting, watching, cleansing, and improving the town and parish of Sunderland near the sea, in the county of Durham; for removing the market, and for otherwise improving the said town.
- cxxi. An Act for better paving, lighting, regulating, and improving the parish of Saint George Hanover-square within the liberty of the city of Westminster.
- cxxii. An Act for more effectually draining and preserving certain marsh lands or low grounds in the parishes of Sandhurst, Newenden, Rolvenden, Tenderden, Wittersham, Ebony, Woodchurch, Appledore, and Stone, in the county of Kent, and Ticehurst, Salehurst, Bodiam, Ewhurst, Northiam, Beckly, Peasmarsh, Iden, and Playden, in the county of Sussex.
- cxixiii. An Act to amend and alter an Act passed in the last session of parliament, intituled An Act for establishing a joint-stock-company for the erection of buildings and establishing machinery for the purpose of promoting and encouraging manufactures in Ireland.
- cxixiv. An Act to amend an Act of the last session of parliament, for facilitating intercourse by steam navigation between the United Kingdom and the continent and islands of America and the West Indies.
- cxixv. An Act for more effectually repairing and improving certain roads in the counties of Kent and Surrey, commonly called the New Cross turnpike roads.
- cxixvi. An Act for more effectually repairing the road from Whitecross in the parish of Leven, in Holderness, in the east riding of the county of York, to the town of Beverley in the said county.
- cxixvii. An Act for more effectually repairing the road from Halifax to Sheffield in the west riding of the county of York, so far as relates to the third district of the said road, and for diverting and altering the said district of road.
- cxixviii. An Act for making, amending, widening, repairing, and keeping in repair certain roads in the county of Forfar.
- cxixix. An Act for making a turnpike road from Shipley to Bramley, together with certain branches therefrom, in the west riding of the county of York.
- cxixxx. An Act for more effectually improving the roads from Doncaster to Salter's Brook Bridge and for diverting and altering the said roads, and making certain branches therefrom, all in the county of York.
- cxixxxi. An Act for more effectually repairing the road from Sudbury in the county of Suffolk to Bury Saint Edmunds in the said county.
- cxixxxii. An Act for more effectually repairing, widening, and improving the roads from Cranford Bridge in the county of Middlesex to that end of Maidenhead Bridge which lies in the county of Bucks, and from Slough to Eton Town End, and from Langley Broom to Datchet Bridge in the said



- county of Bucks; and for watering the said roads.
- cxxxiii. An Act for making a road from the foot of the Salt Market of Glasgow to the Kilmarnock or Cathcart turnpike road, and for building a bridge in the line thereof across the river Clyde from Glasgow to Hutchison-town.
- cxxxiv. An Act for more effectually repairing the road from Markfield Turnpike to the road leading from Loughborough to Ashby-de-la-Zouch in the county of Leicester.
- cxxxv. An Act for more effectually repairing the road leading from the Willersley turnpike road near Parton to Monkland Mill, and other roads therein mentioned, in the counties of Hereford and Worcester.
- cxxxvi. An Act for making a turnpike road from Wells next the Sea to Fakenham, with a branch therefrom, all in the county of Norfolk.
- cxxxvii. An Act for more effectually repairing the road from the turnpike road at or near the town of Swindon to the north end of the town of Marlborough in the county of Wilts.
- cxxxviii. An Act for more effectually repairing and improving several roads leading to and from the town of Salford, through Pendleton, and other places therein mentioned, in the county palatine of Lancaster, and several other roads therein mentioned; and for making and maintaining certain diversions or new lines of road to communicate therewith.
- cxxxix. An Act for making and maintaining a railway or tramroad from the city of Limerick to the town of Carrick in the county of Tipperary, with several branches therefrom in the county of Tipperary aforesaid, and in the county of the city of Waterford.
- cxl. An Act to amend an Act of his late Majesty's reign, for confirming certain articles of agreement between the company of proprietors of the grand junction canal and certain persons for supplying with water the inhabitants of Paddington and places adjacent, in the county of Middlesex; and also an Act of his said late Majesty's reign, to alter certain Acts relating to the grand junction canal, the grand junction waterworks, and the Regent's canal, in order to effect an exchange of water for the better supply of the Regent's canal navigation and grand junction waterworks; and for amending the powers vested in the grand junction waterworks company; and for other purposes relating thereto.
- cxli. An Act to repeal an Act of the twenty-fourth year of his late Majesty king George the Third, for the better relief and employment of the poor belonging to several parishes within the town of Shrewsbury, and the liberties thereof, in the county of Salop; and to make other provisions in lieu thereof.
- cxlii. An Act for consolidating the trusts of the several turnpike roads in the neighbourhood of the metropolis, north of the river Thames.



## PRICE OF STOCKS in each Month in 1826,

*Highest and Lowest.*

	Bank Stock.	3 per Ct. Reduced	3 per Ct. Consols.	3½ per Cents.	New 3½ per Cts.	New 4 per Cts.	Long Annuity.	India Stock.	India Bonds.	South S. Stock.	Excheq. Bills.
January .. {	223 213	82½ 80½	81½ 79½	91¼ 88½	91 88½	99 96½	20½ 20	244½ 234¼	26 p. 5 p.	81½ 89½	10 p. 2 d.
February .. {	214 193	80½ 74½	80½ 73½	89½ 83	89 82½	97½ 90½	18½ 20½	235½ 218	6 p. 18 d.	89½ 84	1 p. 22 d.
March .... {	202 199	77½ 76¼	78½ 75¼	84½ 86½	84½	94½ 96½	19½	227	5 d. 5 p.	77½	par. 6 p.
April .... {	204 199½	79½ 77¼	80½ 78	87 85½	86½ 85	97 94½	19½ 19½	224 229½	par. 8 p.	89½ 87½	2 p. 11 p.
May ..... {	198 202½	76½ 78½	77½ 79¼	83½ 85½	82 85½	93½ 95½	18½ 18½	229 235½	6 p. 10 p.	85½ 87½	11 p. 8 p.
June .... {	202¼ 199	79½ 77	79½ 79½	86½ 84½	86 84½	94½ 95½	19½ 18½	237½	5 p. 13 p.		4 p. 10 p.
July ..... {	198 200½	77¼ 78½	76½ 78½	84½ 85½	84½ 85½	92½ 93½	18½ 19½	226¼ 228	8 p. 22 p.	85½ 83½	7 p. 15 p.
August..... {	200¼ 203½	78½ 80¼	77½ 79½	85½ 87½	84½ 87½	93½ 94½	19½ 19	230½ 235½	19 p. 30 p.	85 86½	14 p. 19 p.
September {	204 203½	78½ 80	78½ 80½	87 87½	86 87½	94½ 96½	19½	236 237½	27 p. 32 p.	87½	14 p. 20 p.
October .. {	201 203½	79¼ 80½	79½ 82	85½ 89½	85½ 87½	95½ 98	18½ 19½	240 245½	30 p. 42 p.	88½	15 p. 26 p.
November {	201½ 204½	80½ 83	81½ 84½	87½ 89	87½ 89	97½ 99½	19½ 19½	245 249½	42 p. 36 p.	89½	23 p. 17 p.
December {	203½ 199	83¼ 75½	83½ 83½	89½ 81½	98½ 98½	98 92½	19½ 17½	248 249	5 p. 39 p.	91½	23 p. par.



## AVERAGE PRICES OF SUGAR AND HAY.

	Sugar, per Cwt.	Hay, per Load.		Sugar, per Cwt.	Hay, per Load.
	s. d.	£. s. d.		s. d.	£. s. d.
January .....	36 11½	5 5 0	July .....	29 8½	5 10 0
February .....	34 10½	5 5 0	August .....	30 6¾	6 6 0
March .....	32 10¼	5 0 0	September .....	33 5	5 10 0
April .....	31 11	4 15 0	October .....	30 1	5 12 0
May .....	31 11	5 0 0	November .....	30 10½	5 8 0
June .....	31 11	5 0 0	December .....	60s. to 90s.	5 8 0

## AVERAGE OF BRITISH CORN.

FROM THE RETURNS.

ENDING	Wheat.	Barley.	Oats.	Rye.	Beans.	Peas.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
January ..... 14	59 5	36 7	24 11	45 6	40 4	44 8
February ..... 11	60 8	36 7	23 11	41 3	39 10	43 4
March ..... 18	54 11	30 2	22 4	43 2	35 6	39 4
April ..... 15	59 4	32 6	23 6	35 10	36 11	37 9
May ..... 13	59 10	29 3	23 1	37 9	38 6	39 1
June ..... 10	57 5	29 1	23 7	39 6	38 0	37 7
July ..... 15	56 5	30 4	26 4	41 4	42 4	45 6
August ..... 12	57 2	32 1	27 3	43 6	46 6	57 3
September ... 15	55 11	34 11	28 1	41 5	46 5	52 2
October ..... 23	54 6	35 5	27 7	37 4	47 8	53 2
November ... 10	54 0	37 3	8 7	40 11	49 7	53 9
December ... 15	58 1	38 6	31 4	42 6	52 8	54 6



## PRICE OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. of BUTCHER'S MEAT in Smithfield Market, in the Year 1826.

	Beef.				Mutton.				Veal.				Pork.				Lamb.			
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Jan.... 23	4	6	to	5	0	4	5	to	5	0	4	6	to	6	0	4	4	to	6	0
Feb.... 20	4	6	to	5	0	3	4	to	5	0	5	6	to	6	4	5	2	to	6	0
March 13	4	4	to	4	10	4	4	to	5	0	5	6	to	6	6	5	0	to	6	0
April 24	4	0	to	5	0	4	0	to	5	2	5	0	to	6	0	5	0	to	5	6
May... 26	4	2	to	5	0	4	0	to	4	8	4	4	to	5	8	3	8	to	5	4
June... 23	4	0	to	5	0	3	10	to	4	6	4	4	to	5	4	3	8	to	5	4
July... 24	3	6	to	4	10	3	0	to	4	4	4	0	to	5	4	3	0	to	5	0
Aug... 21	4	0	to	4	10	3	8	to	4	8	5	4	to	5	4	3	8	to	4	8
Sept... 21	4	0	to	5	2	4	0	to	5	0	3	4	to	5	4	5	0	to	5	8
Oct.... 23	4	0	to	4	10	3	0	to	4	0	4	0	to	5	0	4	0	to	5	4
Nov... 27	4	4	to	5	0	3	10	to	4	4	4	0	to	5	0	4	6	to	5	6
Dec... 25	4	0	to	5	8	3	6	to	4	6	4	0	to	6	0	5	0	to	6	0

## METEOROLOGICAL TABLE FOR 1826.

Month.	Barometer.			Thermometer.			Pluvia-meter.	Winds.							
	Highest.	Lowest.	Mean.	High.	Low.	Mean.		N.	S.	E.	W.	N. E.	S. E.	N. W.	S. W.
January.	30,40	29,58	29,9059	47	10	32,22	,2	3	4	3	0	9	4	5	3
February	30,34	29,30	29,8775	56	25	42,02	1,725	0	15	0	1	1	2	0	9
March..	30,36	29,54	29,9086	65	54,5	42,53	2,075	6	2	1	0	7	4	5	6
April ..	30,26	29,17	29,6426	69	25	49,21	,975	4	2	1	6	0	2	8	7
May....	30,20	29,65	29,9727	73	30	51,98	2,275	11	2	3	0	12	0	3	0
June ...	30,37	29,80	30,1419	89	41	64,69	,8	10	0	1	2	9	2	3	3
July....	30,20	29,55	29,9083	86	39	65,73	2,45	2	1	0	1	5	2	4	16
August..	30,20	29,60	29,8828	83	37	63,63	1,575	1	1	0	1	6	3	3	16
Septem.	30,15	29,00	29,7935	72	32	56,03	2,925	0	2	0	2	5	6	3	12
October.	30,08	29,30	29,7948	68	27	52,28	2,35	3	4	1	0	2	7	1	13
Novem.	30,35	28,96	29,6898	55	19	40,46	3,025	4	0	0	2	5	1	6	12
Decem.	30,40	29,05	29,7728	56	28	42,52	1,75	4	3	1	4	4	3	4	8
Year.	30,40	28,96	29,8576	89	10	50,35	22,125	48	36	11	19	65	36	45	105



DISEASES AND CASUALTIES.

DISEASES.		DISEASES AND CASUALTIES.		DISEASES AND CASUALTIES.	
Abcess .....	76	Erysipelas .....	17	Paralytic .....	125
Age, and Debility .....	1575	Fever .....	926	Pleurisy .....	13
Apoplexy .....	363	Fever (Typhus) .....	97	Rheumatism .....	12
Asthma .....	922	Fever (Intermittent or Ague) .....	2	Scrophula .....	10
Bedridden .....	1	Flux .....	8	Small Pox .....	503
Bile .....	14	Gout .....	38	Sore Throat, or Quinsey .....	13
Cancer .....	100	Hæmorrhage .....	34	Spasm .....	44
Childbed .....	209	Hernia .....	28	Still-born .....	733
Consumption .....	5290	Hooping Cough .....	674	Stone .....	21
Contraction of the Heart .....	2	Hydrophobia .....	4	Stoppage in the Stomach .....	20
Convulsions .....	2588	Inflammation .....	2295	Suddenly .....	110
Croup .....	90	Inflammation of the Liver ..	119	Teething .....	309
Diarrhoea .....	12	Insanity .....	170	Thrush .....	61
Dropsy .....	820	Jaundice .....	33	Tumour .....	8
Dropsy in the Brain .....	676	Jaw-locked .....	1	Venereal .....	8
Dropsy in the Chest .....	65	Measles .....	774	Worms .....	1
Dysentery .....	7	Miscarriage .....	3	Total of Diseases, ...	20,374
Enlargement of the Heart ..	16	Mortification .....	244	CASUALTIES.	
Epilepsy .....	40	Ossification of the Heart .....	6	Burnt .....	28
Eruptive Diseases .....	12	Palpitation of the Heart .....	6	Choaked .....	1
Christened		Palsy .....	22	Buried	
		Males.. 11,178		Males.. 10,454	
		Females 11,066		Females 10,304	
		WHEREOF HAVE DIED,		Total of Casualties.. 384	
Under two years of age....	5952	Twenty and thirty .....	1472	A hundred	
Between two and five .....	1982	Thirty and forty .....	1424	One hundred and three .....	
Five and Ten .....	768	Forty and fifty .....	1994	One hundred and five ....	
Ten and twenty .....	808	Fifty and sixty .....	1926		

Decrease in the Burials this Year, 268.

\* There have been Executed within the Bills of Mortality 19; only 2 have been reported as such.



## ANNUAL STATE OF NEWGATE, 1826.

*Statement of the Number of Persons Committed in the Year 1826.*

	Males.	Females.	Total.
In custody on 1st January, 1826 .. ..	159	48	207
Committed to 31st December inclusive, under } 1227		442	2,931
21 years of age .. ..			
Above that age .. ..	1096	166	3,138
Of which there have been executed .. ..		16	
Died .. ..		4	
Removed to Hulks at Gosport .. ..		100	
Ditto .. .. Portsmouth .. ..		75	
Ditto .. .. Sheerness .. ..		124	
Ditto .. .. Chatham .. ..		245	
Ditto .. .. Woolwich .. ..		179	
Ditto .. .. Devonport .. ..		35	
Ditto to the Penitentiary, Milbank .. ..		107	
Ditto to the Refuge for the Destitute .. ..		11	
Ditto by Habeas Corpus for Trial at the Assizes .. ..		26	
Ditto to the House of Correction for London .. ..		119	
Ditto to the House of Correction for Middlesex .. ..		452	
Discharged, having received his Majesty's pardon .. ..		7	
Ditto, having been acquitted at the Old Bailey Sessions .. ..		676	
Ditto, upon bills of indictment not having been found .. ..		245	
Ditto, not having been prosecuted .. ..		28	
Ditto, having been imprisoned pursuant to sentence .. ..		86	
Ditto, having been whipped .. ..		86	
Ditto, having been fined 1s. and one 10l. .. ..		90	
Ditto, upon bail, and other causes .. ..		24	
Removed to a Lunatic Asylum .. ..		2	
Sent to Trial to Clerkenwell Session .. ..		23	2,760
Remain in custody 1st Jan. 1827—Males 233, Females 145 .. ..			378
			3,138

Of which number 421 had been in Newgate before.  
Committals increased this year, 547.

*Statement of the Number of Persons Convicted in the Year 1826.*

Murder .. ..	1
Burglary .. ..	37
Housebreaking .. ..	19
Highway robbery .. ..	37
Horse-stealing .. ..	13
Sheep-stealing .. ..	7
Cattle-stealing .. ..	2
Returning from transportation .. ..	8
Forgery .. ..	1
Rape .. ..	1
Coining .. ..	3



Uttering counterfeit coin having before been convicted as a common utterer .. .. .	1
Arson .. .. .	1
Stealing in a dwelling house to the value of 40s. or upwards	73
Receiving stolen goods .. .. .	10
Bigamy .. .. .	8
Manslaughter .. .. .	9
Selling Counterfeit Coin .. .. .	1
Transposing the Goldsmith's hall mark .. .. .	1
Larcenies of various descriptions .. .. .	1,591
Misdemeanors .. .. .	16
Conspiracy .. .. .	3
Perjury .. .. .	2
Libel .. .. .	1—1,846

Of which there were sentenced—

To death .. .. .	203
To transportation for life .. .. .	64
To Ditto for 14 years .. .. .	95
To Ditto for 7 years .. .. .	643
To imprisonment in Newgate and in the Houses of Correction for three years .. .. .	2
Ditto, for two years .. .. .	8
Ditto, for one year .. .. .	60
Ditto, for nine months .. .. .	2
Ditto, for six months .. .. .	140
Ditto, for four months .. .. .	14
Ditto, for three months .. .. .	167
Ditto, for two months .. .. .	76
Ditto, for six weeks .. .. .	9
Ditto, for one month and under .. .. .	163
Fined one shilling and discharged, one 10l. .. .. .	101
Whipped and discharged .. .. .	86
Those whose judgments remain respited .. .. .	12
Entered into his own recognizance .. .. .	1—1,846

Acquitted .. .. .	676
Ditto, on the ground of insanity .. .. .	1
Discharged, bills of indictment not being found .. .. .	245
Ditto, not having been prosecuted .. .. .	28 — 950

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2,796

Fourteen of whom have been executed for the following offences :—

Burglary .. .. .	4
Forgery .. .. .	1
Murder .. .. .	1
Highway robbery .. .. .	5
Horse-stealing .. .. .	1
Sheep-stealing .. .. .	1
Stealing from the Person .. .. .	1
	<hr/>
	14
	<hr/>



The following TABLE exhibits the Annual Number of Persons who have suffered DEATH in the County of MIDDLESEX and City of LONDON, within the space of the last Eleven Years.

OFFENCES.	1816.	1817.	1818.	1819.	1820.	1821.	1822.	1823.	1824.	1825.	1826.	Total.
Burglary .....	3	6	2	7	6	4	10	9	3	8	4	62
Cutting and Maiming .....	1	-	-	-	-	2	-	2	-	-	-	5
Extortion .....	1	-	-	-	2	2	-	-	-	-	-	4
Forgery .....	-	2	4	1	1	1	-	1	2	1	1	14
Fratricide .....	-	-	-	-	1	-	-	-	-	-	-	1
House-breaking.....	-	1	-	-	1	-	5	1	-	-	-	8
Infanticide .....	-	1	-	-	-	-	-	-	-	-	-	1
Letter-breaking.....	-	-	-	3	-	-	-	-	-	1	-	4
Murder .....	2	-	3	1	-	-	1	-	1	1	1	10
Ditto on the High Seas .....	4	-	-	-	-	-	-	-	-	-	-	4
Maliciously Shooting .....	-	-	-	1	-	-	-	-	-	-	-	1
Piracy .....	-	4	-	-	-	-	-	-	-	-	-	4
Rape .....	-	1	-	-	-	-	-	-	-	1	-	2
Robbery (Highway) .....	1	5	1	5	5	12	1	1	3	1	5	40
Ditto on the Thames .....	2	-	2	-	-	-	-	-	-	-	-	4
Ditto of Employers .....	-	-	-	-	2	2	-	1	-	-	-	5
Sacrilege .....	-	-	-	-	1	1	-	-	-	-	-	2
Cow-stealing .....	-	-	-	1	-	-	-	-	-	-	-	1
Horse-stealing .....	-	-	-	-	1	-	-	-	-	4	1	6
Sheep-stealing .....	-	-	-	1	1	1	-	-	-	-	1	4
Stealing in a Dwelling-house ...	-	-	-	-	2	-	-	-	-	-	-	2
Ditto (Privately) .....	-	-	-	-	-	1	-	-	1	-	-	2
Ditto from the Person .....	-	-	-	-	-	1	-	-	-	-	1	2
Treason .....	-	-	-	-	5	-	-	-	-	-	-	5
Uttering Forged Notes.....	3	3	8	4	15	6	4	2	1	-	-	46
Unnatural Crime .....	2	-	-	1	-	-	2	1	-	-	-	6
<b>TOTAL .....</b>	<b>18</b>	<b>23</b>	<b>20</b>	<b>25</b>	<b>43</b>	<b>33</b>	<b>23</b>	<b>18</b>	<b>11</b>	<b>17</b>	<b>14</b>	<b>245</b>

GRAND TOTAL—Males 238, Females 7—245

TABLE of the Number of BANKRUPTS, DECLARATIONS of INSOLVENCY, PETITIONS of INSOLVENTS, and of DISSOLUTIONS of PARTNERSHIP.

	Bankrupts.	Declarations of Insolvency.	Insolvents heard in Town.	Insolvents heard in the Country.	Partnerships Dissolved.
January .....	287	18	168	96	172
February .....	264	21	213	108	184
March .....	219	19	208	140	160
April .....	342	24	227	2	185
May .....	275	30	365	103	247
June .....	218	22	348	705	191
July .....	116	16	235	113	191
August.....	138	23	202	—	190
September .....	141	16	—	95	168
October .....	130	25	195	475	181
November .....	241	24	282	111	159
December .....	212	15	248	11	165
	<b>2583</b>	<b>253</b>	<b>2691</b>	<b>1889</b>	<b>2193</b>



## PRICES OF CORN.

An Account of the Average of the Price of WHEAT, for the Years 1823, 1824, 1825, and for Four Months ending 30th April, 1826.

Year	s.	d.	Average	s.	d.
1823 .....	51	9	per quarter.		
1824 .....	Do.	62	0	Do.	
1825 .....	Do.	66	6	Do.	
For the Four Months ending 30th April, 1826.....	Do.	58	6	Do.	

Corn Returns' Office, 4th May, 1826.

WM. JACOB, Receiver of Corn Returns.

Average Prices of WHEAT per Quarter, Winchester Measure, from 1670 to 1770.

Years.	Prices.	Years.	Prices.	Years.	Prices.	Years.	Prices.
	s. d.		s. d.		s. d.		s. d.
1670.....	37 0 $\frac{1}{4}$	1696.....	56 0	1721.....	33 4	1746.....	34 8
1671.....	37 4	1697.....	53 4	1722.....	32 0	1747.....	30 11 $\frac{1}{2}$
1672.....	37 0 $\frac{1}{2}$	1698.....	60 8 $\frac{3}{4}$	1723.....	30 9 $\frac{3}{4}$	1748.....	32 10 $\frac{1}{2}$
1673.....	41 5 $\frac{3}{4}$	1699.....	56 0	1724.....	32 10 $\frac{1}{2}$	1749.....	32 10 $\frac{1}{2}$
1674.....	61 0 $\frac{1}{4}$	1700.....	35 6 $\frac{1}{2}$	1725.....	43 1 $\frac{1}{4}$	1750.....	28 10 $\frac{1}{2}$
1675.....	52 1 $\frac{3}{4}$	1701.....	31 8 $\frac{1}{4}$	1726.....	40 10 $\frac{1}{2}$	1751.....	34 2 $\frac{1}{2}$
1676.....	33 9 $\frac{1}{4}$	1702.....	26 0 $\frac{1}{4}$	1727.....	37 4	1752.....	40 8 $\frac{1}{2}$
1677.....	37 4	1703.....	32 0	1728.....	48 3 $\frac{1}{2}$	1753.....	39 8 $\frac{1}{4}$
1678.....	52 5 $\frac{1}{4}$	1704.....	41 2	1729.....	42 2 $\frac{1}{2}$	1754.....	30 9 $\frac{3}{4}$
1679.....	48 0	1705.....	26 8	1730.....	32 5 $\frac{1}{4}$	1755.....	29 11
1680.....	40 0	1706.....	23 1 $\frac{1}{4}$	1731.....	29 4	1756.....	40 1 $\frac{1}{2}$
1681.....	41 5 $\frac{3}{4}$	1707.....	25 2	1732.....	22 8 $\frac{1}{4}$	1757.....	53 4
1682.....	39 1 $\frac{1}{4}$	1708.....	36 8 $\frac{3}{4}$	1733.....	25 2	1758.....	44 5 $\frac{1}{2}$
1683.....	35 0 $\frac{1}{2}$	1709.....	69 7 $\frac{1}{2}$	1734.....	33 5 $\frac{3}{4}$	1759.....	35 3
1684.....	39 1 $\frac{1}{4}$	1710.....	69 4	1735.....	58 2 $\frac{1}{2}$	1760.....	32 5 $\frac{1}{4}$
1685.....	41 5 $\frac{3}{4}$	1711.....	48 0	1736.....	35 10	1761.....	26 9 $\frac{1}{4}$
1686.....	30 2 $\frac{1}{2}$	1712.....	41 2	1737.....	33 5 $\frac{1}{2}$	1762.....	34 8
1687.....	31 8 $\frac{1}{4}$	1713.....	45 4	1738.....	31 6 $\frac{1}{2}$	1763.....	36 1 $\frac{3}{4}$
1688.....	23 1 $\frac{1}{4}$	1714.....	44 8 $\frac{3}{4}$	1739.....	33 2	1764.....	41 5 $\frac{1}{4}$
1689.....	26 8	1715.....	38 2 $\frac{1}{2}$	1740.....	48 10 $\frac{1}{2}$	1765.....	48 0
1690.....	30 9 $\frac{3}{4}$	1716.....	42 8	1741.....	41 9 $\frac{1}{4}$	1766.....	43 1 $\frac{1}{2}$
1691.....	29 11	1717.....	40 5 $\frac{1}{4}$	1742.....	28 5 $\frac{1}{4}$	1767.....	57 4
1692.....	41 9 $\frac{1}{4}$	1718.....	34 8	1743.....	22 0 $\frac{1}{4}$	1768.....	53 9 $\frac{1}{4}$
1693.....	60 1 $\frac{1}{4}$	1719.....	30 11 $\frac{1}{2}$	1744.....	22 0 $\frac{1}{4}$	1769.....	40 7
1694.....	56 10	1720.....	32 10 $\frac{1}{2}$	1745.....	24 3 $\frac{1}{2}$	1770.....	43 6 $\frac{1}{2}$
1695.....	47 1 $\frac{1}{4}$						

Average Price of WHEAT per Statute Quarter from 1771.

Years.	Average.	Years.	Average.	Years.	Average.	Years.	Average.
	s. d.		s. d.		s. d.		s. d.
1771.....	47 2	1785.....	51 10	1799.....	66 11	1813.....	106 6
1772.....	50 8	1786.....	33 10	1800.....	110 5	1814.....	72 1
1773.....	51 0	1787.....	41 2	1801.....	115 11	1815.....	63 8
1774.....	52 8	1788.....	45 0	1802.....	67 9	1816.....	76 2
1775.....	48 4	1789.....	51 2	1803.....	57 1	1817.....	94 0
1776.....	38 2	1790.....	53 2	1804.....	60 5	1818.....	83 8
1777.....	45 6	1791.....	47 2	1805.....	87 1	1819.....	72 3
1778.....	42 0	1792.....	41 9	1806.....	76 9	1820.....	65 10
1779.....	33 8	1793.....	47 10	1807.....	73 1	1821.....	54 5
1780.....	35 8	1794.....	50 8	1808.....	78 11	1822.....	43 3
1781.....	44 8	1795.....	72 11	1809.....	94 5	1823.....	51 9
1782.....	47 10	1796.....	76 3	1810.....	103 3	1824.....	62 0
1783.....	52 8	1797.....	52 2	1811.....	92 5	1825.....	66 6
1784.....	48 10	1798.....	50 4	1812.....	122 8		



## UNIVERSITY OF OXFORD.

EXAMINATIONS. TERMS—MICHAELMAS, 1825.

*In Literis Humanioribus.*

## CLASSIS I.

Hassard H. Dodgson, *Christ Church*.  
 Robert Evans, *Jesus*.  
 George Morris, *Corpus*.  
 Hon. John C. Talbot, *Christ Church*.  
 Thomas Vores, *Wadham*.

## CLASSIS II.

Casper W. C. Baker, *Balliol*.  
 Henry Bosanquet, *Balliol*.  
 William J. Copleston, *Corpus*.  
 Caledon G. Du Pre, *St. Mary Hall*.  
 Joseph S. R. Evans, *Queen's*.  
 Richard N. Gresley, *Christ Church*.  
 John Hambleton, *Edmund Hall*.  
 John Hippisley, *Oriel*.  
 William Lambert, *Corpus*.  
 Arthur Lewis, *Trinity*.  
 Jacob Ley, *Christ Church*.  
 Arthur Maister, *Balliol*.

William L. Neville, *Queen's*.  
 William Palmer, *St. Mary Hall*.  
 Thomas Sale, *Magdalen*.  
 Edward B. St. John, *St. Alban Hall*.

## CLASSIS III.

Henry Burt, *Worcester*.  
 Francis Drake, *Worcester*.  
 Henry Freeman, *Wadham*.  
 Henry L. Gabell, *Christ Church*.  
 William Hazell, *Christ Church*.  
 Elisha W. Hood, *Wadham*.  
 William Hughes, *Oriel*.  
 James Hughes, *Jesus*.  
 Baldwin F. Leighton, *Christ Church*.  
 John S. Martin, *Oriel*.  
 John Parry, *Brasen-nose*.  
 John Perry, *Balliol*.  
 George A. Smyth, *Edmund Hall*.  
 John H. Walsh, *Balliol*.  
 George Wylie, *Queen's*.

*In Disciplinis Mathematicis et Physicis.*

## CLASSIS II.

John Hippisley, *Oriel*.  
 Elisha W. Hood, *Wadham*.

Jacob Ley, *Christ Church*.  
 Thomas Vores, *Wadham*.

TERM—PASCHAL, 1826.

## CLASSIS I.

William J. Blake, *Christ Church*.  
 Richard Durnford, *Magdalen*.  
 John J. Hatton, *St. Edmund Hall*.  
 Francis W. Newman, *Worcester*.  
 Digby C. Wrangham, *Brasen-nose*.

## CLASSIS II.

William Allfrey, *Exeter*.  
 Alfred Browne, *Christ Church*.  
 Francis A. Faber, *University*.  
 Edward Girdlestone, *Balliol*.  
 Francis H. Greswell, *Brasen-nose*.  
 Peter Hansell, *University*.  
 Thomas Harding, *Worcester*.  
 John Hoole, *Wadham*.  
 Downes Will. Johnston, *St. John's*.  
 John Medley, *Wadham*.  
 William Orger, *St. Edmund Hall*.  
 Richard C. Sewell, *Magdalen*.  
 Stevenson V. Surtees, *University*.

## CLASSIS III.

Robert Appleton, *Pembroke*.

*In Literis Humanioribus.*

Thomas Brown, *Magdalen Hall*.  
 Edmund H. Buckby, *Balliol*.  
 John Griffith Cole, *Exeter*.  
 William J. Downes, *Worcester*.  
 Francis Forster, *Wadham*.  
 William S. Hadley, *Queen's*.  
 Henry J. Harper, *Queen's*.  
 William D. Harrison, *Worcester*.  
 Thomas B. Hill, *Wadham*.  
 George Innes, *Trinity*.  
 James Jerram, *Wadham*.  
 Robert Kilvert, *Oriel*.  
 Thomas B. Lancaster, *Merton*.  
 George C. Legh, *Christ Church*.  
 Charles Lushington, *Christ Church*.  
 Robert P. Morrell, *Balliol*.  
 John E. Pitcher, *Oriel*.  
 Rice Rees, *Jesus*.  
 Francis W. Rice, *Christ Church*.  
 George A. Warde, *Brasen-nose*.  
 John Watson, *Worcester*.  
 Thomas L. Wheeler, *Worcester*.

*In Disciplinis Mathematicis et Physicis.*

## CLASSIS I.

William J. Blake, *Christ Church*.  
 Edmund H. Buckby, *Balliol*.  
 Francis W. Newman, *Worcester*.  
 Francis V. Woodhouse, *Exeter*.  
 Digby C. Wrangham, *Brasen-nose*.

## CLASSIS II.

Charles W. Faber, *University*.  
 William R. Faber, *University*.

## CLASSIS III.

Robert Kilvert, *Oriel*.  
 William Orger, *St. Edmund Hall*.



## TERM—MICHAELMAS, 1826.

## CLASSIS I.

George A. Denison, *Christ Church*.  
 John T. Hope, *Christ Church*.  
 George F. W. Mortimer, *Queen's*.  
 Viscount Newark, *Christ Church*.

## CLASSIS II.

Lord Henry William C. Bentinck,  
*Christ Church*.  
 Edward P. Blunt, *Corpus*.  
 John A. Gower, *Magdalen*.  
 George Lea, *Wadham*.  
 Edward Simms, *Wadham*.  
 Walter, J. Trower, *Christ Church*.  
 Samuel Wilberforce, *Oriel*.  
 Lovelace B. Wither, *Oriel*.

*In Literis Humanioribus.*

## CLASSIS III.

Charles D. Bevan, *Balliol*.  
 Henry J. Buckoll, *Queen's*.  
 John D. Chambers, *Oriel*.  
 James Clay, *Balliol*.  
 Thomas Collett, *Trinity*.  
 John D. O. Crosse, *Exeter*.  
 Morgan Davies, *Wadham*.  
 George Dawson, *Exeter*.  
 Robert Eden, *Christ Church*.  
 John Harding, *Worcester*.  
 Thomas J. Heming, *Christ Church*.  
 Charles W. Lawrence, *Brasen-nose*.  
 Patrick M. Smythe, *Christ Church*.

*In Disciplinis Mathematicis et Physicis.*

## CLASSIS I.

George Dawson, *Exeter*.  
 Joseph Maude, *Queen's*.  
 Robert B. Maurice, *Christ Church*.

Walter J. Trower, *Christ Church*.  
 Rowland Webster, *Lincoln*.  
 Samuel Wilberforce, *Oriel*.

## CHANCELLOR'S PRIZES.

Latin Essay.—“*Quibus præcipue de causis in artium liberalium studiis Romani Græcis viæ pares, nedum superiores evaserint?*” [Not awarded.]

English Essay.—“*Is a rude, or a refined age, more favourable to the production of works of fiction?*” George Moberly, *Balliol*.

## SIR ROGER NEWDIGATE'S PRIZES.

Latin.—“*Montes Pyrenæi.*” Francis K. Leighton, *Magdalen*.

English.—“*Trajan's Pillar.*” W. W. Tireman, *Wadham*.

## UNIVERSITY OF CAMBRIDGE.—TRIPOSES, 1826.

Moderators. { John Hind, M.A. *Sidney*.  
 Joshua King, M.A. *Queen's*.

*Wranglers.*

Ds. Law, (1.) ..... *Trinity*.  
 Hymers ..... *St. John's*.  
 Metcalfe ..... *St. John's*.  
 Hanson, (2.) ..... *Clare Hall*.  
 Miller ..... *St. John's*.  
 Budd ..... *Pembroke*.  
 Moseley ..... *St. John's*.  
 Stratton (A) ..... *Trinity*.  
 Willis ..... *Caius*.  
 Fisher ..... *Pembroke*.  
 Julian ..... *Queen's*.  
 Mason ..... *Trinity*.  
 Clinton ..... *Caius*.  
 Eyre ..... *Pembroke*.  
 Stansfeld ..... *Trinity*.  
 Hodgson (B) ..... *Trinity*.  
 Otter, E. .... *Jesus*.  
 Webb ..... *Trinity*.  
 Green ..... *Christ's*.  
 Salkeld ..... *Trinity*.

Keeling ..... *St. John's*.  
 Goodhart .. *Trinity* } *Æquales*.  
 Wells .. *Corpus Ch.* }  
 Stone ..... *Caius*.  
 Smith ..... *St. John's*.  
 Wollaston ..... *Caius*.  
 Booth ..... *Corpus*.  
                     *Senior Optimes.*

Ds. Atkinson, R. .... *Trinity*.  
 Clark ..... *Queen's*.  
 Lawson ..... *St. John's*.  
 Clutton ..... *Emmanuel*.  
 Edmonds ..... *Trinity*.  
 Hales ..... *Trinity*.  
 Welch ..... *Pembroke*.  
 Heald ..... *Trinity*.  
 Marsden ..... *St. John's*.  
 Blissard ..... *St. John's*.  
 Maynard ..... *Pembroke*.  
 Ashington ..... *Trinity*.  
 Burnell ..... *Queen's*.



Gilderdale .....	<i>Catherine Hall.</i>	Shepherd .....	<i>Trinity.</i>
Rolls .....	<i>Trinity.</i>	Greensall .....	<i>St. John's.</i>
Neate .....	<i>Trinity.</i>	Hopkins .....	<i>St. John's.</i>
Otter, G. ....	<i>Jesus.</i>	Apthorp .....	<i>Emmanuel.</i>
Stock .....	<i>Peter.</i>	Stevens .....	<i>St. John's.</i>
Borrett .....	<i>Caius.</i>	Power .....	<i>Clare.</i>
Smedley .....	<i>Trinity.</i>	Patton .....	<i>Trinity.</i>
Fearon .....	<i>St. John's.</i>	Pinder .....	<i>Trinity.</i>
Kinglake .....	<i>Trinity.</i>	Hubbersty .....	<i>St. John's.</i>
Suttaby .....	<i>St. John's.</i>	Greene .....	<i>Pembroke.</i>
Baker .....	<i>Sidney.</i>	Cole .....	<i>St. John's.</i>
Steggall .....	<i>Jesus.</i>	Moore .....	<i>Christi.</i>
Gratton .....	<i>St. John's.</i>	Flavell .....	<i>St. John's.</i>
Gibson .....	<i>Sidney.</i>	Bissett .....	<i>Magdalen.</i>
Gibson .....	<i>St. John's.</i>	Rawlings .....	<i>Queen's.</i>
Taylor .....	<i>Jesus.</i>	Bell .....	<i>Caius.</i>
Kerr .....	<i>Sidney.</i>	Gregg .....	<i>St. John's.</i>
Collins .....	<i>Trinity.</i>	Bawtree .....	<i>Jesus.</i>
Gurney .....	<i>Trinity.</i>	South .....	<i>Pembroke.</i>
<i>Junior Optimes.</i>		Adye .....	<i>Caius.</i>
Ds. Dunn .....	<i>St. John's.</i>	Foster .....	<i>St. John's.</i>
Atkinson, C. ....	<i>Trinity.</i>	Purton .....	<i>Trinity.</i>
Russell .....	<i>Peter.</i>	Price .....	<i>St. John's.</i>

# CLASSICAL TRIPOS, 1826.

<i>Examiners.</i>	{ Thomas S. Hughes, B.D. <i>Emmanuel.</i>
	{ Julius Charles Hare, M.A. <i>Trinity.</i>
	{ John Graham, M.A. <i>Christ's.</i>
	{ Temple Chevallier, M.A. <i>Catherine.</i>

<i>First Class.</i>		Stock .....	<i>Peter.</i>
Ds. Stratton (A) ....	<i>Trinity.</i>	Shepherd .....	<i>Trinity.</i>
Power .....	<i>Clare.</i>	Goodhart .....	<i>Trinity.</i>
Price .....	<i>St. John's.</i>	Patton .....	<i>Trinity.</i>
Gibson .....	<i>Sidney.</i>	Green .....	<i>Christ's.</i>
Hodgson (B) ....	<i>Trinity.</i>	Borrett .....	<i>Caius.</i>
Flavell .....	<i>St. John's.</i>	Keeling .....	<i>St. John's.</i>
Gretton .....	<i>St. John's.</i>	<i>Third Class.</i>	
Heald .....	<i>Trinity.</i>	Ds. Smith .....	<i>St. John's.</i>
Marsden .....	<i>St. John's.</i>	Foster .....	<i>St. John's.</i>
Ashington .....	<i>Trinity.</i>	Pinder .....	<i>Trinity.</i>
Fisher .....	<i>Pembroke.</i>	Hopkins .....	<i>St. John's.</i>
Welch .....	<i>Pembroke.</i>	Wells .....	<i>Corpus.</i>
Atkinson, R. ....	<i>Trinity.</i>	Taylor .....	<i>Jesus.</i>
<i>Second Class.</i>		Greensall .....	<i>St. John's.</i>
Ds. Rolls .....	<i>Trinity.</i>	Clark .....	<i>Queen's.</i>

# CHANCELLOR'S MEDALLISTS.

Thomas Stratton .....	<i>Trinity.</i>
John Hodgson .....	<i>Trinity.</i>

# CHANCELLOR'S PRIZE.

English Verse.—J. S. Brockhurst, <i>St. John's.</i>
Latin Essay.—J. A. Jeremie, <i>Trinity.</i>

# SIR W. BROWNE'S MEDALS.

Greek Ode.—“ <i>Delphi,</i> ”	} W. Selwyn, <i>John's.</i>
Latin Ode.—“ <i>Iris.</i> ”	
Greek Epigram.—“ <i>Εκων ἀκρονί γε θυμῷ.</i> ”	
Latin Epig.—“ <i>Eloquiumne oculi aut facundia silentia linguæ.</i> ”	
<b>PORSON PRIZE.</b> Shakspeare's King John, Act 3, Scene 2.—“ <i>Come hither Hubert,</i> ” &c. B. H. Kennedy, <i>John's.</i>	



## LAW CASES AND NARRATIVES.

HIGH COURT OF ADMIRALTY,  
JAN. 31.

*Prize Money.—Genoa and its Dependencies.*

THIS case was most elaborately argued at the close of the last term and the commencement of the present by Dr. Phillimore and Dr. Lushington, on behalf of his excellency count Ludolf, the Sicilian ambassador, and Dr. Jenner, on the part of the representatives of sir Robert Hall, deceased (late a post captain in the British navy, and a brigadier-general in the Sicilian service). The king's advocate and Dr. Arnold, appeared for Chelsea hospital; against which institution the Court was prayed to enforce monition.

Lord Stowell gave judgment to day. The question, which the Court was called on to decide, arose from the capture of Genoa, and its two dependencies, Spezzia and Savona, then in the possession of the French government. The capture of these places was effected by the combined armies and fleets of the king of Great Britain and the king of Sicily; and a very considerable booty, or prize, was distributed among the captors under the grants of the respective sovereigns. The immediate question arising out of these transactions, related to the particular share of sir Robert Hall, a person described as a military officer in the service of the king of the Two Sicilies, and who was likewise a

naval officer, a post captain, in the service of the king of Great Britain. This party, who had been serving as a British naval officer, was transferred to the military service of the other state, the confederate state, then united with Great Britain in a struggle against the common oppressor of Europe. It did not appear how this transfer was effected. The court did not think it resulted from any of the papers which had been laid before it, that sir Robert Hall, previously to these captures, had had any connection with the Sicilian army, or with Sicily itself. It was probable that this was the first time that he had been connected with the Sicilian service by the joint opinions of the British military commander-in-chief in that expedition (lieutenant-general lord William Bentinck), and the British admiral (now lord viscount Exmouth). It seemed to have been also the last time that he served in his military capacity; so that his connexion with the Sicilian service might be considered to have been accidental and temporary only. At the same time, the Court was bound to consider it a sufficiently authenticated fact, that sir Robert had been validly transferred to the Sicilian army; for he was certified by the British commissioners for the distribution of the Sicilian prize-money as "a lieutenant-general in the Sicilian service." The claim now made on his prize-share, was preferred by the Sicilian minister



resident at this court. No question, therefore, could be raised as to the validity of his appointment, for however long or short a period it might have lasted. A great deal of obscurity had been introduced into this question by various events, and particularly by reason of the death of sir Robert Hall. The capture of the booty was made in the early part of the year 1814; yet the first time, on which the present question had been introduced to the notice of the court, was on the last court-day of the very last term only; at the close of 1825, or very nearly 12 years after the matter happened. In that interval, many things had occurred that did certainly embarrass the question very much. Sir Robert Hall, who, if he had been living, would have been able to come into court himself and assert his own claim, was dead, and so were a great many other persons who could have thrown much light upon this cause.—It was to be observed, that a very scanty provision had been made by law relative to booty or prize captured by the combined operations of a British force, together with foreign forces. There seemed to have occurred scarcely any instance in the earlier ages of our history, wherein any permanent regulations, at least in respect of such cases, had been made. It was very true, that Great Britain had very often had to maintain contests single-handed. But this was by no means the case with the last struggle for the independence of Europe, which was sustained by the European states generally, against the common oppressor. In that contest, Great Britain had the concurrence of most of such states, in one shape

or other, and at various times. But it was late in the course of the last war, before any regulations concerning the distribution of prize to the forces employed in such conjoint operations was made by parliamentary authority. Three acts of that nature were passed in the reign of his late majesty; and one containing, certainly, very peremptory enactments, in the reign of the present king, and apparently with reference to this very expedition which took Genoa and its dependencies; and an order in council had also been made, which directed that the prize share, or that share in the distribution of the booty captured by the combined forces on this occasion, that might be adjudged to Sicily, should be paid over to the minister Plenipotentiary from the court of the two Sicilies, residing at this court. Out of this general injunction no reservations were made. The money so distributed was to be remitted to Sicily for the purpose of its being paid over to those who might be entitled thereto, according to the laws and constitutions of that country, and “the directions of the sovereign thereof.”

Now it was upon this state of facts, that the present question came before the court. Sir Robert Hall's character as a Sicilian officer was sufficiently established; and being so, there could be no question but that his must be considered as a “Sicilian” share. This share was paid somewhat early and prematurely, but by no means imprudently, by way of safe custody, into the treasury of Chelsea Hospital; though at what time it was so paid, did not appear on the face of these proceedings. This payment was in itself somewhat irregular. Chel-



sea Hospital, indeed, was the common depository of all unclaimed shares of British military officers ; but this gentleman, sir Robert Hall, was clearly not a “ British military officer ;” he was a British “ naval” officer, and a “ Sicilian military” officer. Though it had remained in the hospital for several years, this prize share was to be considered as not having been paid in, in the regular way that British property of such a description would have been, in the usual course ; namely, under the intention, that, being unclaimed, it would, after a certain lapse of time, become vested in the hospital. For as Sicilian property, though unclaimed, it would not have become so vested ; nor could any provision to the contrary, bearing on foreign prize shares, be made, without being in some degree discoloured by injustice. It appeared, that in the Sicilian prize list, made out with perfect accuracy, sir Robert Hall was described as a Sicilian brigadier general, and a large sum was assigned to him in that character by the agents for the distribution. Unfortunately, it happened that in the British naval prize list, he was likewise entered, and described as a naval officer. Now the usual course observed, in respect of English prize or booty, with regard to prize, to “ conjoint expeditions” of the British and foreign forces, was this : that an English officer holding rank also in the foreign service was not entitled to share in both capacities, but in the higher and more profitable of them. The prize due to the other office, which the individual should appear to have evacuated, and not to have fulfilled, but the duties of which he had left to be performed by other officers

of the same class, that other share was held to be divisible as among those other officers. By the English course of prize property, therefore, an officer thus situated had a right to take the higher proportion of the two proportions which the commission might afford, but to that superior share he must confine himself. By a common error, however, in this case—an error common to all the parties—this rule was not observed. In that error it appeared that latterly sir Robert Hall himself had become involved ; for he himself appeared as a British naval officer, and took the booty erroneously assigned to him in that character. He never came forward as a Sicilian military officer, which he was most undoubtedly entitled to do. At least, it did not seem that any application was ever made by him in that capacity, and he actually received as a British naval officer. That share he decidedly received in error ; but with perfect integrity on his part, since he never claimed the higher share which was due to him. Whether he did not consider himself entitled as a Sicilian brigadier-general, or acted under that common delusion which had operated, apparently, on all parties in this matter, he had never asked for his military proportion ; and by that means had come off minus about 500*l*. (the difference between the share he did take, and that which he should have taken). His share as a British naval officer was something more than 700*l*. The share he ought to have drawn as a Sicilian major-general, and that which was now in question, was 1291*l*. so that, in truth, he had acted upon an erroneous notion ; a notion in which all parties seemed to have been involved, and of which



the fallaciousness added much to the obscurity that brooded over the whole of the case. But, in this, sir Robert Hall had acted in honest error; not meaning to take more, but willing to take much less, than what properly belonged to him, in virtue of that station to which he had been called by the principal authorities in the Sicilian service. These facts had opposed great difficulties to the possibility of the Court finding its way to the justice of this case. If they had not occurred, the course of that justice would have been very obvious and easy. It would have consisted in the Court's ordering the payment over to sir Robert Hall, of the sum now demanded by the Sicilian ambassador, 1,291*l.*; and in directing sir Robert to repay on account of the officers who had served in this affair as post-captain in the British navy, the sum which he had wrongfully taken, as a post-captain himself; a course of proceeding with which, had he been living, he would have testified a ready compliance. Whether the officers, to whom such post-captain's share would then have reverted, and who discharged those duties which he must have so evacuated on the occasion—whether they were now living or dead, did not appear, and it was not perhaps very material for the Court to be apprized, seeing that the Court could hardly set the matter right, were they even to appear. For it could not order a fresh distribution of such share at this time of day, seeing that that account was closed.

The only question now was, how far this apportionment of naval prize, which had most incorrectly taken place as to sir Robert Hall, should destroy his claim to the

larger sum due to him as a Sicilian military officer, on account of the capture of Genoa? And here the Court must admit, that if it should turn out that this latter was a good claim, the Court was bound by the order in council, and the acts of parliament which had been referred to in argument, to order the money to be paid over to the Sicilian ambassador. As to the claim which had been interposed on the part of the British representatives of sir Robert Hall, it was very difficult for his lordship to meet it, under the present state of the case, with all that attention which was undoubtedly due to those by whom it had been so advanced. For, if this were Sicilian property, it was to be paid over to the Sicilian plenipotentiary; and the Court was disposed to think with counsel, that by his excellency it was to be remitted to Sicily, there to be dealt with according to the rules of her service, and the general prize regulations of that country. Now what those regulations were with respect to prize property which had been unclaimed during the life-time of the party entitled, the Court could not state. Probably such property escheated to the Crown; or being so unclaimed during the life-time of such party, was forfeited to the uses of some naval establishment in Sicily, or some charitable institution in that country, of a nature similar to that of some charities in this kingdom. The Court had, perhaps, the less reason to deplore its own ignorance on this point; seeing that the Court, at all events, had it not in its power to apply the money claimed, to the relief in any way of the parties representing sir Robert Hall here, on the principle of British representation. It was specifically directed by the acts



of parliament, that monies of this kind, thus circumstanced, should be paid over to the minister plenipotentiary of the king of the Two Sicilies; and the lapse of time which had intervened in this instance, made no sort of difference as to the efficiency of that order. Neither those acts, nor the order in council, comprised any limitation as to time, and their application was just the same as if the case were of the freshest occurrence. It was the duty of the Court to carry their enactments into execution as imperatively and peremptorily at this day and hour, as it would have been at the earliest opportunity which could have presented itself for acting on such statutes. The jurisdiction that they created for this Court began and closed with the attainment of a particular object, which was as binding now as it could have been at any former period.

If lapse of time, then, would not affect the application of these acts, what was to be said as to sir Robert Hall's having received a prize share as a naval officer? Why, the Court was bound to consider that the payment which had been so made to him, was made altogether in error. He was, in fact, to take as a Sicilian military officer; and that share was subject to be conveyed to Sicily for distribution, or to be dealt with there according to the will of that sovereign, or the institutions of that country. As to the authority to be respected, at this distance of time, was the Court to prefer a paper (the Sicilian list) which, though neglected during a long lapse of time was not reprehensible on any other account, and which was perfectly accurate and correct as it now

stood, or a paper (the British list) which was obviously incorrect, even independently of the proper principle adverted to by the Court, on which sir Robert Hall's greater claim on account of these transactions was founded? His lordship proceeded to shew that he must look upon the former as that which he ought to keep in view; that the acts of parliament, and the order in council, were both clear in their directions, and peremptory as to their enactments; and that his jurisdiction in this matter commenced and ended with them. Finally, he ordered the whole sum of 1,291*l.* to be paid out of the treasury of Chelsea hospital, to the Sicilian ambassador, according to the injunctions of the statute; and advertng to some charges insinuated in the proceedings against the conduct of the officers of the hospital, as if the original applications of his excellency had been treated with inattention and disrespect, the Court said, it must infer from the entire silence of Counsel on the subject, that such charges had been entirely abandoned: and it in truth saw no reason to think, that the officers in question had done any thing but their duty, or testified the slightest disregard or inattention in the business, to the interests of any of the parties concerned. He recommended the representatives of sir Robert Hall, to apply to the sovereign of Sicily through his minister here, who received these monies, in order to get so much of it as the inclination or liberality of the royal mind of his master might be disposed to allow them. The Court could only lament, that it had no power to do more in regard to them, than to suggest this advice.



PREROGATIVE COURT, APRIL 12.

*Dew v. Clark and Clark.*

Sir John Nicoll gave judgment in this extraordinary case to day. The deceased in the cause was the late Mr. Ely Stott, of Hart-street, Bloomsbury, a surgeon and electrician of some eminence, who died in the month of November, 1821, aged 72, leaving behind him an only child, by a former wife, Mrs. Charlotte Mary Dew—his widow, Mrs. Mary Stott—and real and personal property to the value of 40,000*l.* and upwards. By his will, dated 26th May, 1818, after leaving about 400*l.* a-year to his wife, during her widowhood, a few legacies to his friends, and altogether 100*l.* per annum only to his daughter, he bequeathed the residue of his estate to Thomas and Valentine Clark, his two nephews. This will was opposed on behalf of Mrs. Dew, the daughter, on the ground of the deceased's delusion and unsoundness of mind in respect to her, and of general unsoundness of mind on that topic, and all others connected with it. Although the evidence adduced in support of the will, as well as the averments of the allegations given in, on the part of the nephews, went to make out a case amounting only to what was termed extreme eccentricity of conduct; it resulted from the testimony given on both sides, and indeed from the admissions of the counsel of the Messrs. Clark, that the conduct of the deceased towards his daughter had been, as it was charged to have been, severe and even brutal; but it was contended, at the same time, that these admissions could not affect the general question of the sanity of deceased's mind. On the part of

Mrs. Dew, various acts of the most violent and disgusting brutality were pleaded to have been repeatedly committed by the deceased in his conduct towards her. He had conceived, it was said, from her earliest infancy, an unconquerable aversion for her; he described her, in the singular jargon in which he habitually expressed himself on such subjects, as a child of Satan, and given over, from her birth, to eternal reprobation. He accused her of crimes—and these accusations he was constantly making, even to his own patients—the commission of which, “was absolutely impossible at her tender age,” in the language of some of the witnesses—the lord bishop of Durham, for example. He required of her a daily written statement and confession of the most secret thoughts of her heart; and with a capriciousness of feeling only to be equalled by the barbarity of the treatment to which he subjected her; he would, to-day, shed tears at the mention of her name, describing himself as the most afflicted and unfortunate of parents, and to-morrow, strip and flog her with the most savage fury: in a letter to one of his friends, he would eulogize her talents and great capabilities; in another communication he would impute to her extreme excesses of vice. His unfortunate daughter was accused, by him, of such offences while she was at school; but the witnesses vouched to this part of the case, did not attempt to prove any thing beyond some trivial indiscretion of speech; and, even that having happened four-and-twenty years ago, they could not of course depose to it, with any degree of certainty. It appeared that the school-mistress



found the interference of the deceased, and his perpetual dissensions about the "reprobate state" of his daughter extremely inconvenient and troublesome; and gladly availed herself of an opportunity of getting rid, with poor Miss Stott, of the importunities and visionary lamentations of her father. The singular eccentricities of the deceased, the strange intermixture of religious fervor and downright blasphemy in his conversation, his severity to his servants, his uncontrollable hatred to draymen, drovers, and butcher-boys, his diurnal contests with offenders in these classes, his whimsical notions of the miraculous virtue of electricity, by which he at one time proposed to discharge all the functions of an *accoucheur*! his inordinate opinion of himself, amounting to a belief of his own infallibility—and the persevering hatred with which through life he pursued his daughter, were detailed at great length in the evidence. Mr. Stott was originally a footman; and appears to have been a man of great natural endowments, and to have proceeded, with singular energy, in the acquisition of his practice and his fortune.

The learned judge stated the question to relate to the validity of the will. Mr. Stott had several nephews and nieces, who, as such, would of course not be entitled in distribution. The property of deceased at his death amounted in value to nearly 40,000*l.* In the month of February, 1821, his wife applied for a commission of lunacy against him; the inquisition was executed accordingly, and the deceased was found to have been of unsound mind from the preceding 1st of January. The will propounded in this cause was dated May, 1818; and had been executed, therefore,

not within the period comprehended in the finding of the jury, under such inquisition, but at a date about three years prior to that period. By the will, he left to his wife all his household furniture, and other things of that description; to his nephew, Thomas Clark, a legacy of 100*l.*; to his other nephew, Valentine Clark, 150*l.*; and various other legacies (including some small annuities) of no very great amount, to different individuals; especially to a Miss Hey, in acknowledgment of the endeavours she had exerted in common with himself "for reclaiming his daughter, after the latter had thrice revolted from him, and flung herself from his care and protection." There was a legacy in pretty nearly similar terms to his friend, Mr. Daniel Gough; but the amount was left in blank. To his daughter and only child he bequeathed, altogether, about 100*l.* per annum only; to his wife, Mary Stott, 400*l.* a-year during the term of her natural life or widowhood; to his three executors 50*l.* each; and the whole residue of his real and personal estate, in the event of his, the testator's having no other children at the time of his death, to his nephews, Thomas and Valentine Clark, the parties in this cause. His wife he joined in the executorship of this will with the three executors before alluded to. Such was the substance of the will; and undoubtedly it was a testament very much to the prejudice of the daughter (the other party in the cause) who was his only child, and was yet assigned so small a portion out of this very large property. It was a will, however, very formally drawn up, and attested by three respectable wit-



nesses. Soon after the death of the deceased, all the executors renounced probate; and administration, with the will annexed, was granted in December, 1821, to the residuary legatees, Thomas and Valentine Clark. In April, 1822, that administration was called in by the daughter; the residuary legatees were put on the proof of the will; it was propounded by them, and was opposed by Mrs. Dew, the daughter. The first allegation given in, on behalf of Messrs. Clark, merely propounded the paper in the form of a common conditit; pleading the factum of the execution, the death of the deceased, and the character of his hand-writing. And if the question now before the Court rested on the evidence of the factum, as proved by the witnesses on the conditit, there could be no doubt whatever respecting the validity of this will. Their evidence, as far as it went, was complete and satisfactory. The grounds, upon which the will was opposed, were not a denial of the intention of the testator; or of the execution of this paper; or any suggestion that either fraud or circumvention was practised towards him; or that any extrinsic influence had been made use of in order to induce him to make such a disposition of his property. Neither was it suggested that this will had not originated entirely with himself, and had not been prepared and completed by and under his own directions. It was not charged that the attesting witnesses had, in any degree, falsely represented the facts they deposed to; or that they had not given an honest and sincere opinion in respect of the state of the deceased at the time this instrument was executed. But the

ground of the opposition was this; that though it was the will of the mind of deceased, that mind was not a sane, but was an unsound, mind—"unsound," in the legal sense of the term, that is, that deceased was, to a certain extent, deranged in mind when he made this will. Now, it was the clear rule of law, that, where a case of this description was set up, the onus probandi was on the party by whom it was so advanced. And the general tendency of the plea, which had been offered on the part of the daughter, might be thus stated: that the conduct of the deceased towards his first wife, upon the birth of this daughter, had been strongly marked with derangement; that he subsequently, and ever afterwards, manifested strong indications of a complete hatred and antipathy for the daughter herself; that in respect of her, in particular, he laboured under a delusion of mind, imagining her to have been, from her birth, invested by nature with great and singular depravity; and to be an abandoned profligate, a wild and irreclaimable being; that he treated her with the utmost cruelty and violence, notwithstanding she on all occasions behaved to him with all duty, and endeavoured by every means to conciliate his affections; that she had always conducted herself as a modest, virtuous, and amiable person; but that in these prepossessions against her, and in other matters respecting her, the deceased had shown strong symptoms of insanity. Now, the admission of this plea, which necessarily went into great detail, had been opposed by the propounder of the will; and the Court on a former day had expressed an opinion, to which it still adhered, that



such a case, as that suggested by this plea, would be one extremely difficult of proof; but that if proved, it might certainly be available to render the will invalid. On the part of the residuary legatees, a very long responsive plea also had been given in support of the will, setting forth the general sanity of the testator in the whole of his conduct through life: and his character, temperament, and religious opinions, as sufficiently accounting for that kind of irritation under which he had at times treated his daughter with perhaps extreme severity; that on the part of the daughter, herself, also, there had been such misconduct as had afforded the deceased some rational grounds for the testamentary dispositions he had made to her prejudice. In supply of proof of this allegation, many of the deceased's letters were exhibited; and several, likewise, of the daughter's; and these showed, it was contended, on the one hand, that the deceased was a rational person, acting upon rational grounds; and, on the other, that the daughter under her own hand admitted her past misconduct, and promised future amendment. This outline of the case, on either side, would suffice to demonstrate the extreme difficulty, in which, as the Court had observed, this cause was involved. It had been truly stated by counsel in argument, that the validity of this will could not be affected, unless the Court should be morally convinced, that the deceased, when he made it, was a person of unsound mind. Eccentricity of conduct, if it were no more than eccentricity, would be of no avail to take away from a man the right which the law conferred upon him, of disposing of his property, after death, as he

chose. Severity in his general conduct to his daughter, arising from the natural infirmity of his temper, or accidental excitements, would not prove mental derangement, even though it should seem to have been excessive severity. The Court itself must be most careful not to indulge any feelings of compassion for the person who opposed the will in question, although she was an only child and prejudiced by that will, or though it might be shown even that she was the most amiable and unoffending of her sex. The Court must look only at the legal aspect of the case, without regarding the small annuity with which the deceased had cut this daughter off; or that fact—perhaps more distressing to her feelings as a mother—that he had left without any provision any child or children of her own, though these could, by no possibility, have offended him by any misconduct on their part. The deceased, in the exercise of his legal rights, might give the bulk of his property, if he thought fit, most undoubtedly, to public charities, or to these nephews, or to still more distant relatives, in preference to his own daughter; and any mere personal considerations, such as the Court had just adverted to, could have no legal effect whatever. This sort of proceeding might be an act of injustice, or an act of caprice; but the only question which the Court had to deal with, was—was it an act of insanity? The true point now to be decided was, whether, at the time of making this will, the deceased was a person of sound or unsound mind? To the decision of that issue it must direct and confine its attention. The first consideration to be determined was, the fixing



what should be the characteristics and the test of an unsound mind ; and the determining at what point eccentricity and caprice might be said to end, and where derangement commenced. Derangement assumed a thousand different shapes, as various as the shades of human character. It existed in every imaginable variety, from that of the frantic maniac chained to the floor, to that of the person who was apparently rational in all his acts, and in his conversations on all subjects, excepting one ; which delusion on one subject, though daily present to his mind, would not be elicited, perhaps, but under special circumstances, and on particular occasions. Thus, we had all heard of persons at large in Bedlam itself, acting as servants in that public institution ; and even showing the other maniacs, and describing them to casual visitors ; and who, although at large and competent to do this, were yet, themselves, essentially mad on some topic or other, all the time. We had also heard of the individual who fancied himself to be the duke of Hexham ; and yet acted rationally enough as the servant of his own committee in the management of his own property. It was further observable, that persons labouring under a disorder of the mind, had often a temporary power of restriction over themselves, either from the respect and awe they felt in the presence of others ; or from a consciousness of the peculiar relations in which others stood to them. Extraordinary instances of this faculty had occurred, in which they had even deceived their keepers and medical attendants, notwithstanding the constant and vigilant observation of the latter, in respect

of all their actions ; and yet after gaining the point for which they had so restrained themselves in the presence of those whom they knew to be most capable of detecting the real condition of their minds, those very individuals had been found to labour under the influence of undiminished insanity. Other people, who were most capable of delivering themselves with great propriety, and in the most rational manner, upon most subjects, were yet the victims of an utter delusion upon others. As far as the Court's own observation and experience went, guided and aided by those opinions and circumstances which every person must have occasionally encountered in society, and fortified also by cases which had occurred in this and in other courts of justice, or by what had been laid down on these subjects by medical and other writers ; the learned judge declared his opinion to be this—where there existed delusion of mind, there existed that which was commonly termed insanity. Where persons believed things to exist, which, in fact, existed only,—or, at any rate, in the degree in which they supposed them to exist,—in their own imagination, and of the non-existence of which neither argument nor proof could satisfy them ; such persons were of unsound minds. Or, as one of the learned counsel in support of the will (Dr. Lushington) had well put it—"it was only the belief of facts which no rational person would have believed, that constituted insane delusion." [Here the learned judge entered into a luminous and elaborate examination of the character of mental delusion generally—its excess and its modifications—its exciting causes—and, in



short, of the principal diagnostics of this malady of mind. Our limits will by no means allow us to do justice to this acute and careful investigation; and we can do little more than indicate some of the authorities cited at this stage of his judgment.] In consequence of the definition and opinions which the Court had thus ventured to express upon these points, it might not be improper to refer to some authorities, medical as well as legal, on the same subject. The former had defined some characteristics by which insanity might be known. Dr. Batty, in his celebrated essay or treatise on Madness, in the first chapter, where the nature of madness is defined, after stating that it consists in "too lively or too languid a perception of things," declared "that a disordered imagination was not only an indisputable, but an essential characteristic of madness." Mr. Locke (who, though more distinguished as a philosopher than a practising physician, had yet in his earlier years, and till his health caused him to discontinue the pursuit, acted for some time in the latter capacity) had given a chapter (chapter 2), in his Essay on the Human Understanding, upon idiots and lunatics; in which he said "Madmen, having joined together some ideas very wrongly, mistake them for truth; and, by the violence of their imagination, having mistaken their fancies for realities, make right deductions from them." Then followed the celebrated definition of the distinction between fools, or idiots, who from right premises draw false conclusions, and madmen, whose conclusions from false premises are correct. The only other medical authority the court would refer to,

was a name much distinguished in the history of those who had studied these particular disorders of the mind. He meant Dr. Francis Willis, who, in a very recent publication, had introduced some passages upon the subject of mental delusion, by no means undeserving of attention. The publication alluded to was a Treatise on Mental Derangement, which had formed the subject of the Gascoynean Lecture, delivered by him before the college of Physicians in 1822, and published by him in March, 1823. Dr. Willis seemed to have referred to almost every writer upon those matters, both ancient and modern; and besides having, himself, had very great practice in respect of this particular disorder, he had had the advantage of acquiring the most valuable information from the extensive practice and experience of his own family. The authority of Dr. Willis was precisely to the same effect. Lord Hale's notion of the matter was much the same. He, in his pleas of the Crown, had said, "there is a partial insanity of mind, and a total insanity of mind; the former is either, in respect to particular things '*quoad hoc vel illud insanire*;' or in respect of particular persons. Some persons who have a competent reason in respect of some subjects are yet under a species of '*dementia*' as to other matters." Mr. Erskine, in his speech in defence of Hatfield, followed the like doctrine; and lord chief justice Coke, in his 1st. Inst. had this passage;—"Here Littleton explaineth a man of no sound memory to be '*non compos mentis*.' Many times (as here it appeareth) the latin word explaineth the true sense, and calleth him not *amens, demens, furiosus, lunaticus*



*fatuus, stultus*, or the like, for *non compos mentis* is most sure and legall." Lib. iii. sect 405.—Sir John Nicholl also adverted to the well-known case of Greenwood, and two curious instances of mental delusion which had been described by the late lord Mansfield; and he showed that in those instances, there was the same species of mental delusion on particular topics, and those only. He then went through the various facts of this case, dwelling at great length on the history of deceased, and the influence which the accidents of his existence had exercised upon his character and opinions. He established the pre-existence of a powerful prepossession in the mind of deceased against his daughter, from a very early period down to the making of the will; and his declarations to friends and others, as to the commission of acts of gross misconduct on the part of his daughter, which declarations were clearly and distinctly falsified by the testimony of his own witnesses. The learned judge then adverted to the evidence with respect to the character of Mrs. Dew. He stated the depositions on both sides of the question; and shewed (from her own witnesses, and those produced by the Messrs. Clark), that her conduct had been at all times, not only irreproachable, but entitled to the highest praise for her modesty, humility, and her affectionate endeavours to gain the confidence and love of her father, notwithstanding the harshness and brutality of his conduct towards her. The misconduct imputed to her, in one case, was disproved by the very witness (a single one) who was brought forward to prove it; in the other cases, the witnesses

vouched to establish the facts charged, expressly disavowed them. As for the letters of Mrs. Dew to her father, nothing in the world could be more clear than that they were written admissions of general misconduct, of which she had never been guilty; and written as much under the immediate awe of her father (the deceased), and as much under the dread of punishment, as if (to use the expressions of counsel) he had stood over her all the time with a rod. In conclusion, the learned judge declared his conviction, that at the time of making this will, the deceased was not in his sound mind; and he therefore pronounced against it.

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#### PREROGATIVE COURT, APRIL 19.

##### *Ustick v. Bauden.*

This cause involved an important question, as to the revival of a former uncanceled will, by the cancellation of a will of much later date, executed subsequently to other formally prepared wills, published at intervening periods between the first or uncanceled paper, and the last, and which intermediate instruments had all been cancelled.

Sir John Nicholl gave judgment. The question, he said, arose upon the validity of a will executed by the late Stephen Ustick, esq. in the year 1807; the death of that gentleman had not taken place, however, until the month of January, 1823. This will was set up by Mrs. Frances Elizabeth Bauden, the sole executrix named therein; and was opposed by the rev. Robert Ustick (Clerk), the only brother of the testator. These persons, however, were not the only individuals who were interested in the present suit; for the deceased, besides his brother, left



behind him three sisters and three sets of nephews and nieces, who, in case of the deceased's being pronounced to have died intestate, would be entitled in distribution to his personal property. There were, likewise, other parties, legatees and devisees under the will, who were, of course, interested in having that will established. The case had also this peculiar feature about it, that the personal property distributable among so many persons was but of small value, while the real property was of considerable amount. From inquiries which the Court had caused to be made into the state of the property, it had been given to understand that the realty which would pass under the will (if established) was of the value of about 780*l.* a year, exclusive of property in the Dutchy of Cornwall; but including that Dutchy property, it would be about 980*l.* per annum. The personal property, without making any deductions even for the expenses of this suit, other law proceedings, and so forth, was estimated at 3,500*l.* only. The parties, although they had engaged in a long and extensive litigation in this court, had not in any court put the validity of the will, as far as the learned judge was aware, in the course of trial at law, while the decision of this tribunal would not govern the devise of the real estate. Rules and principles, in some degree different from those which regulated the descent of personalty, governed the descent of realty. Still the parties in the cause had a clear right to the judgment of this Court in respect of the personal property. A question, however, was first to be determined, not only as to the due execution of the will propounded, but

as to whether that will was, in point of law, revoked? Now that will, which had been regularly prepared by a solicitor, was executed by the deceased in the most deliberate and formal manner, and attested by three witnesses. It was executed, indeed, in duplicate; one copy being deposited with the solicitor employed, a Mr. Hamilton, and the other duplicate being delivered into the hands of Mrs. Bauden, who was herself the sole executrix named in such instrument; and both these parts remained perfect and uncanceled at the time of the testator's death. But the ground upon which the revocation of that will was contended for by the party opposing it, was, that about fourteen years afterwards, namely, in January, 1821, the deceased executed a new will, which other will was also attested by three witnesses. The latter will, at the death of the testator, was found in a cancelled state; and there was no occasion to doubt, that it had been so cancelled by the deceased himself. Had this latter will remained uncanceled, there could be no doubt but that it was sufficient in point of fact to have revoked the former instrument of 1807. Two questions were to be determined in this cause, by the Court, 1st.—whether upon the cancellation of the latter will, the former did, in point of law, remain in force, and unrevoked, or whether it remained revoked? And, 2ndly—whether, if, *prima facie*, the first will was to be considered as revoked, it was not, however, revived by the circumstances which were pleaded in the evidence before the Court? The dispositions contained in these two wills materially differed, in some respects, both as to the real



and personal property. By the will of 1807, the real estates were devised in trust for the benefit of Mrs. F. E. Bauden for life; and were entailed, after that life estate, on Mr. Lewis Charles Peters (nephew of the deceased) and his issue; remainder on failure of his issue, to another nephew and his issue; but on failure of this second person and his line, the estate was devised to the testator's own right heirs. It was further directed that upon the death of the said Frances Elizabeth Bauden, 900*l.* should be raised in order to pay legacies of 300*l.* each to his three nephews, Mr. W. Peters, Mr. Noel Peters, and Mr. Legrice.—A brewery, situated at Falmouth, which deceased at that time had, was also given to Mrs. Bauden for life, and then to deceased's nephews, the Legrices. The residue of the property of the testator was bequeathed to Mrs. Bauden, who was appointed sole executrix. So that by this paper, the brother of the deceased, who was also his heir at law, and the sister, who, with other parts of the family, would be entitled in distribution in case of an intestacy,—were all passed over; the sisters, as much as the other parties so entitled in distribution. Such were the contents of the will of August, 1807. Those of the will of January, 1821, manifested different testamentary dispositions; but certainly not more favourable to the brother, who was the heir at law, nor to the sisters; but to the other next of kin the bequests of the will of 1807 were replaced by different legacies of a specific nature, and among the legatees were introduced other nieces of deceased—the three Misses Beauchamp. The real estate was vested in trustees

chargeable with these legacies, and an annuity of 400*l.* a year was given to Frances Elizabeth Bauden, who was to have also the furniture, stock, and other articles of that description; the residue, both of the real and the personal property, was given to his two nephews, Michael Noel Peters and Charles Peters; who were also appointed executors. By a codicil, dated about a fortnight afterwards, on the 20th January, 1821, the annuity to Mrs. Bauden was still further reduced from 400*l.* to 200*l.* a year. What the value might be of the furniture, stock, and crops, which she was to take in addition, did not exactly appear; so that the Court could not judge of the proportion which that value bore to the 3,500*l.* at which the personalty was estimated. The brother, the sister, and others of the next of kin, were equally excluded, the former from the realty, and the others from any distributive share in the personal property. Now, putting all the circumstances of the case together, and contrasting together the dispositions of the two instruments of 1807 and 1821, there seemed nothing very revolting to probability, in the supposition that the deceased really might, at the date of the latter, have altered his testamentary intentions, from the effect to which they tended in 1807, to the dispositions thus apparently contemplated by him in 1821. Neither was there any thing exceedingly improbable in presuming that after January 1821, the deceased might have again reverted and returned to the will of 1807, as that which best expressed his intentions. But certainly the second will, of 1821, to that extent and in those particulars which the Court had stated, was an alteration



of, and a departure from, the will of 1807; different executors and different residuary legatees were appointed by it. Now several cases had, at different times, occurred in this Court, in which the point had arisen and been discussed,—whether, upon the cancellation of a later and revocatory will, a former uncanceled will continues in force, or remains revoked? whether such cancellation of the latter paper is a positive revival of the former? or whether the former requires some act, or some evidence of intention in order to be so revived? Indeed, this point had long been considered almost a *vexata questio* in these Courts. The rule upon it appeared to have been somewhat different in the Ecclesiastical Courts, where the cases respected personal property; and in the Common Law Courts, where the cases regarded realty. And even in the Ecclesiastical Courts the rule seemed to have varied in some degree. In these Courts, the execution of a subsequent will had been held to be a *prima facie* revocation of the former; at least to such an extent as to require evidence of the former's being revived. In the Common Law Courts, it has been generally held that a former uncanceled will is *prima facie* revived, or rather renewed unrevoked, upon the cancellation of the later one. Most of the cases, from which the learned judge deduced those principles, had been cited and very much discussed before the High Court of Delegates, in the recent case of *Moore and Moore v. Metcalf*, which was in the first volume of Dr. Phillimore's Reports. In these several cases—*Whitehead v. Jennings* (Court of Delegates, in the year 1714), *Burt and Burt* (Prerogative Court, 1718), *Hellyer*

and *Hellyer* (Ditto 1751), *Arnold v. Hodges* (Ditto 1765), — the former will was held to be revoked, either because there was no evidence to show on the part of the testator an intention to revive it, or because there was evidence to show, upon his part, an intention that the former will should remain revoked. On the other hand, in *Stacey v. Dickens*, in 1724, in *Barrier and Hew*, in the same year, in *Passey and Hennings*, in the Prerogative Court in 1808, and in the Court of Delegates, in 1812, the former will was established upon evidence going to show that it was the intention of the deceased in each case that the former will should operate. The learned judge then went into a statement of the facts and principles of most of the cases he had cited. The Court also quoted *Glazier and Glazier*, (4 Burroughs) *Mason and Merrywood*, *Harrowden and Rolfe*, (Cowper 87), and expatiated on the various principles which common law, equity and ecclesiastical judges had laid down upon the doctrine of intention, which was always considered the polar star for the guidance of courts in testaments of personal property. Now, what were the facts of the present case? In the early part of this history, the deceased had a brewery at Falmouth, and seemed to have lived there. He had formed an attachment for Miss Frances Elizabeth Bauden, who was the daughter of the collector of the customs at that port, and a young lady of very respectable connexions. The uncle of the deceased, in this cause, sir Michael Noel, much disapproved of the proposed match between them. He died in 1802, having made his will, whereby he bequeathed a certain



estate to the deceased, upon condition that he should not marry Miss Bauden. If he did, then the estate was to devolve over to another party. After the death of sir Michael Noel, Mr. Ustick and Miss Bauden went away, for a short time from Falmouth, and when they returned, they returned as Mr. and Mrs. Ustick, leaving the world to suppose that in the mean time they had been married. From that period till the death of the testator they cohabited together as husband and wife, and treated each other as such in every respect; and lady Noel, about that time, quitting Penwarne House, the former residence of sir Michael, Mr. Ustick and the lady, the party in the cause, took up their residence there. This was about the year 1805. The rev. Mr. Robert Ustick, the brother brought an ejectment against the testator, for the purpose of getting possession of that property, on the ground that he, Stephen Ustick, had violated the conditions of his devise from his deceased uncle, by marrying Miss Bauden. Many of the deceased's own family, and others of the neighbouring gentry, had visited Mr. and Mrs. Ustick, but many had also abstained from visiting them, and among the latter persons, were this brother and some of the sisters of the deceased. Now, though this matter of the ejectment never went to trial, it became pretty well understood in consequence of what did take place about it, that Mr. Ustick had never, in point of fact, been married to Miss Bauden. Naturally enough, the deceased took great offence, on these accounts, at the conduct of his brother towards him. In 1809, some attempts were made by particular friends of the family to

bring about a reconciliation between the two brothers, but they were little successful. In the mean time, the will of 1807 was made, and it could not be thought quite unaccountable, that under the impression of feelings of irritation, the deceased should have excluded his brother from that disposition of his property; or that, strongly sensible of what he always termed his great obligations to Miss Bauden for the sacrifices she had made on his account, he should have given her so large a benefit under it. The Court then went into the history of the continued connexion between Miss Bauden and the testator, and observed, that notwithstanding the testimony of one or two witnesses to whom the Court was very much indisposed to give ready credence, it did appear that until the last moments of his life, her conduct had been most kind and affectionate. Just before the making of the unfavourable instrument of 1821, however, a circumstance had occurred which not only threatened to overthrow her place in his regard entirely, but did appear to have actually reduced his mind to a condition of almost morbid suspicion and sensitiveness. Among the guests who were staying at Penwarne House, at that period, was a relation of Mrs. Bauden's, a Dr. Parsons. The deceased was much troubled with an internal complaint in the nature of diarrhoea, and was induced to take one of Dr. Parsons's prescriptions, in the hope of getting relief. At first the medicine prescribed agreed well with him; but latterly he became much weaker, and his disease more powerful. While under this condition of body, his mind became rather affected by



his sufferings; he took a most extraordinary antipathy to Dr. Parsons, and at last almost persuaded himself that the medicines he had taken of him, had killed him; and that, in fact, he had been poisoned. There were about the deceased, occasionally, some persons who seemed to have been not very backward in encouraging the anger he had conceived against Miss Bauden, on account of her having recommended him to avail himself of doctor Parsons's assistance. Mr. Vigurs, another medical gentleman, stated in his evidence, that the medicines were calculated to have a good effect on the deceased's complaint; but had not, in fact, had a fair trial. However, under some momentary anger, probably, the will of January 1821 was written, but it was discovered, afterwards, cancelled by the deceased. That cancellation was quite consistent with the affectionate declarations he on several subsequent occasions made of his unabated attachment to "his beloved Miss Bauden;" with his inquiries of her at other times, whether the will of August 1807 was in existence, and his satisfaction at learning that it was; with his declarations in the presence of servants and others, of his intending to leave Miss Bauden as well off as ever she had been with him; with various acts and expressions, clearly proving his own reference to, and cognizance of the existence and the effect of that will, to the latest term, almost of his own life—with the cancellation of other subsequent papers, as unfavourable to Miss Bauden, as that of January 1821; and with his repeated manifestations, to the last, of his regard for her. Such being the construction, the learned judge added, which he felt himself

bound to put on the circumstances of this case, and on the intentions of the testator; he pronounced for the validity of the uncanceled will of 1807, which had been propounded by Mrs. Frances Bauden, as the sole executrix named therein.

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COURT OF EXCHEQUER, MAY 16.

*The New Custom-House.*

*The King v. Peto.*

The Attorney-general addressed the jury. This was a proceeding against Mr. Peto, to recover the penalty of a bond which he executed to secure the amount to the Crown, on behalf of the public, and which would become forfeited, provided Mr. Peto failed in building the new Custom-house, in the city of London. By the contract, Mr. Peto was bound to complete the work for the sum of 165,000*l.*; exclusive of the charge of 12,000*l.* which he was entitled to make for the piling of the building. The building was commenced in 1813, and was completed in 1817 or 1818—and the charge of building, including that for piling, amounted to 370,000*l.*, a charge more than double the amount that Mr. Peto contracted to execute the building for; and of this, 24,000*l.* was apportioned for piling. The commissioners were extremely dissatisfied with these charges; and thought they had reason to complain of Mr. Laing, their surveyor; and, after having paid upwards of 300,000*l.* they thought they could not, with justice to the public, pay Mr. Peto any farther sum of money. Mr. Peto, in consequence, commenced some proceedings against the commissioners, but before these pro-



ceedings were concluded, apprehensions were entertained for the safety of the building; the walls cracked in several places, and it appeared to be in a tottering state, and at length the greater part of the building fell. The site was formerly a part of the bed of the river Thames, but it rested upon a solid stratum of hard gravel, which was 12 feet deep, and into which it was necessary that piles should be driven for the support of a building of such weight and magnitude as the new Custom-house. From the specification it appeared that the builder was to provide a necessary number of engines for the purpose of boring down to the gravel, to ascertain the firmness of the foundation; and he was also to drive the piles into two feet of the stratum of gravel, for, unless those piles were driven into this stratum, they would not afford support to the building. These piles were all to be cut the same length, and levelled. Instead, however, of these piles being of the proper length, to reach the sleepers, some were shorter than the others. There was no complaint made of the external appearance of the building. An immense chasm was, however, discovered in the King's warehouses and the Long-room, and before the cause could be ascertained, one pier sunk nine feet, and another four feet. The warehouses then sunk into the cellars, and this circumstance, he was sorry to state, would put the public to an expense of one hundred thousand pounds. The piling was then examined, and it was wonderful how the piers had stood till the work was completed; for instead of the piles being driven two feet into the gravel, they did

not even reach that gravel, and it was impossible, therefore, they could have been the least support to the pier. Upon examination it was ascertained, that, out of one hundred piles, not one exceeded six feet in length. It was impossible, therefore, they could reach the gravel, and the consequence had been, that the whole of the piling had been removed, and a great part of the building had been taken down, to guard against a similar accident to that which had already occurred. The commissioners were dissatisfied with the conduct of Mr. Laing, and they had thought proper to commence proceedings against him. They also thought that his conduct, and that of Mr. Peto, had been such as not to entitle them to their confidence. The accounts were all made up in a hurry; the greater part was demanded, and paid in a hurry; and when the accounts were disputed, they were suffered to remain four years without being rectified by Mr. Peto; and then, when the building falls, Mr. Peto, for the first time, says, it was a mistaken charge, and it was also by mistake that the spandrels were filled up with rubbish instead of brick-work. He had another complaint to make against Mr. Peto, for the improper mode in which he had laid on the roof of the building. The materials for the roof were to have been of the best quality; but it seemed as if Mr. Peto had collected all the old boards he could find in London. Some of those boards were ornamented with play-bills and other papers, and some were pieces of old boards, and in a very decayed state. He also begged to call the attention of the jury to the flooring of the Long-room, and which



was charged as six-inch stone. It was certainly six-inch round the skirting-board, where it could have been detected if the boards had been removed, but some of the flooring was only five inches thick, and some three inches. This would make a deficiency in the charge for the flooring of 1,100*l*. These facts he should prove to the satisfaction of the jury, and he trusted, that, when the case was closed, the jury would decide upon it according to its merits, and according to the evidence which would be laid before them.

The bond and specifications having been produced,

Mr. R. Smirke was called, and examined by the attorney-general. —I am an architect, and have been in that profession for many years. I was called on, in the latter end of December, 1824, to examine the Custom-house. I found several of the piers had sunk into the gravel; all of them had sunk more or less. There is a row of cellars, over which is a row of warehouses, and then the Long-room. The arches of the cellar and warehouse rest upon piers. I have read the specification, and my attention has been called to that part of the specification which relates to the piling and to the sections. It describes that there shall be nine piles under each pier, and that they shall be placed three feet apart longitudinally, and every architect would draw that conclusion from the drawings which have been made. Under every part of the building that I have examined, I find there is a stratum of hard gravel. I found all the piers a little sunk, and, about a month after I took my examination, two of them fell in. Under one of the piers, I found only two piles; when

that pier fell, one of the piles was removed out of its place, and that was the one that chiefly supported the pier; the other touched part of the footings which projected from the pier, and did contribute a little to the support of the pier. The others did not at all support it. That pile which was under the pier did not reach the gravel. It was eleven feet long, and the gravel is invariably twelve feet deep. The piles were not twelve inches square, the mean diameter was seven or eight inches, and which was very little more than half the area of nine inches square. Under the next pier, which fell, there were only four piles which contributed to its support. The exact position of them I could not speak to, as one of them, in falling, removed the others out of their places. Not one of the piles penetrated two feet into the gravel; all of them did not reach the gravel; the piling under the walls was of the same description, not reaching to the gravel, very crooked, and in several instances the pile did not reach the sleeper, and in that case a piece of wood was put in to fill up the deficiency. There were seventy-eight of the piles less than six feet long, and it is surprising how they supported the building so long; 1,247 were taken up from under the walls and piers, seven hundred and sixty-four were not eleven feet long; 78 were under six feet long; and some of them were only three and four feet long; only one pile was sixteen feet seven inches long, and the others which were under that size, did not go into the gravel, and could not be of the smallest service. I conceive, that, if the directions in the specification had been followed, there would cer-



tainly have been a safe and solid foundation. I attribute the falling of the building to the badness of the piling, and the bad manner in which the piles were driven. When this examination took place, Mr. Peto's foreman attended, and some people employed by him checked the examination. I should think that the charge of 24,000*l.* for the piling is more than sufficient. I examined the spandrels of the arches, and, instead of being filled up with solid brick work, they were filled up with lime rubbish, grouted in and covered, sometimes with one or two surfaces of bricks. About 250*l.* was quite sufficient for that work, when I consider the manner in which they were filled in. If they had been filled up with brick-work, the charge would have been 1,600*l.* I examined the boarding under the slating on the roof of the house; that boarding was quite otherwise than according to the specification. The greater part of it was materials that had been used before; some quite rotten—some were three inches long and tapering and they varied from twelve to three inches. A great many of them were decayed. I am employed in doing that which is necessary for putting the building in a proper state; I have looked at the items of charge; in the account, the spandrels of the arches are charged as solid brick-work.

Mr. George Rennie, examined by Mr. Solicitor-general.—I am an engineer, and attended at the Custom-house to examine the state of it after the pier fell in; I examined the piling under the piers that had given way. Under one which had given way, there was one whole pile, and one at the corner, which, in a small degree,

contributed to the support of the pier. The one under the pier was broken. I examined two of the other piers, and the piling under them was not proper. Under one there was only one bearing pile, and the other two piles were placed at the corner. Under the other pier there were four piles, and part of another. That number of piles was not sufficient to sustain a building of that weight and magnitude. I examined the sleepers, and found some of them in a decayed state, and some of them bent. I attributed their being bent to the tops of the piles not touching the sleepers, so that the pressure was not equal. Some did not touch at all, and some did not touch uniformly. This was not a workman-like way of doing business.—I found the brick-work in a crumbled and crushed state. I attribute that crumbling and crushing to the pressure occasioned by the weight of bricks which ought not to have been there. Stone ought to have been placed there, and a larger bearing. Several of the piles were bent, therefore not fit to be placed in a situation of that sort, as their being crooked detracts from their strength and solidity. I saw some of the piles after they were taken up. One was only three feet long, and they varied up to five feet. The piling was not executed in a proper and workman-like manner. I attribute the falling of the pier to the badness of the piling.

The statements of Messrs. Smirke and Rennie were confirmed by the testimony of Messrs. Walker, Milne, Morrice, Baker, and Austen, surveyors, and Mr. John Atkins, carpenter.

The receipt of Mr. Peto for 12,900*l.* for the piling having been



produced and read, the case for the Crown closed.

Mr. Scarlett stated the case for the defence.—Mr. Peto, he said, got directions in writing, followed them to the letter, and, in the opinion of the inspector at the time, had completely done his duty. In every thing he followed the directions of the Crown agents. It was contended that the spandrels of the arches should have been filled up with brick-work, but there was no stipulation to that effect in the contract. As to the materials employed on the roof to support the slates, they were approved by the government architect and inspector. They consisted of boards which had been put up during the progress of the building for the convenience of the workmen and for holding their tools, and which had been used as planks for scaffolding, or other such purposes. Mr. Peto was compelled by the Crown agents to purchase that timber from the government for the express purpose of applying it as he had actually done.

Mr. John Cook examined by Mr. Common Sergeant.—I was in the employ of Mr. Peto in 1813, and was his general foreman. Mr. James Day was clerk of the works in the year 1813, acting under the orders of Mr. Laing, the architect. I received orders from Mr. Day with regard to getting the level of the old vaults. After clearing away the rubbish, we began to dig for our footings under the direction of Mr. Day; 4 feet 6 was the depth we were to go; below that level we found a great number of old walls; some were of brick and stone, and some constructed with oak and chalk. When they resisted the piles, we applied to Mr. Day. I heard Mr.

Peto several times speak to Mr. Day about the discovery of old walls; I heard him say it was better to take them all away, and place York landings. Mr. Day said he would take away the walls where he thought fit; he gave such directions regularly. The first pile was, I believe, driven about the beginning of July; it was of oak. Mr. Day said there should be no more oak piles; the timber was to be beech.—There was no beech then driven, and the work waited until they were supplied. I saw the beech timber supplied; it was of a very good quality, and was driven under the directions of Mr. Day. I heard Mr. Peto tell Mr. Day, when the pile-driving began, that he wished he would appoint some person to see to the pile-driving, as he (Mr. Peto) could not attend to it. A person named Mullins was appointed by Mr. Day; who came about two days after the beginning of the pile-driving. The pile-driving for the long room commenced about three months after. Mr. Day gave Mullins orders to see that the monkey struck the pile-head a certain number of times. In the first instance, we cut off with an axe the projections on the piles, and did so for several days; we were afterwards ordered not to hew off the knots, but to preserve the bark, and only to sharpen the end where the shoe was to go on. It was a very laborious operation, and the works were suspended for seven weeks. I did not perceive at the time that the oaken timber was injured; but it was not used, in consequence of the objection of Mr. Day, and new timber was then brought. There were from 120 to 130 loads of the timber not used. Mr. Day was at the



works every day, and Mr. Mullins attended to the driving of the piles. The planking commenced almost directly, and followed the piling in each place. Mr. Peto objected to the mode of planking directed by Mr. Day; if the timber should give way, it would make a great cavity. Mr. Day persisted in his order. Mr. Peto said to Mr. Day, that where the columns were to stand at the west wing, the weight would be so heavy, that he wished to have oak piles, to which Mr. Day objected, but said he would consider about it, and in the course of three days there was an order to drive oak piles. It was at the east and west wing, and not at the main body, they were driven. I took the measurement of the greatest part of the piles. I know of no one instance in which Mr. Day's orders were not strictly complied with. I was employed by the commissioners of the Customs to build the new wharf wall. I know not of any effect that wall would produce, except that it would prevent the water from getting to the foundation. I think it was watertight.

George Leyburne. The piles were cut to the length that Mr. Day ordered. They were then shod. When Mr. Day could not get down the pile as far as he wished, he had it cut off, and sometimes had another driven by it—he ordered some of the short piles to be cut off, so as to range with the sleepers; sometimes the piles took neither the planks nor the sleepers. All the piles, without any exception, were chosen by Day. The piles of the part that has come down are all beech. I never drove any beech piles but at the Custom-house, and that wood will

decay sooner than any other, if not kept under water. I mentioned this to Mr. Day at the early part of the work; he said that it was wood chosen by Mr. Rennie. He had seen the ground underneath; in his opinion it was not fit for piles to be driven into. After the first floor of the building was up, the groin of one of the arches gave way. I advised Mr. Day to clear the foundation all away, and support the column upon an inverted arch. Mr. Day said it would do very well as it was. When they first began the piling, the tide flowed in every tide; if beech is under water it will last longer. There were old drains under the foundation.

Mr. Scarlett said, that, as it was admitted that Mr. Peto had given his opinion that piling was an improper mode, he need not prove it.

Several other witnesses were then examined, who deposed to the same effect.

The Attorney-General replied at considerable length. He touched upon all the evidence that had been produced, and claimed a verdict for the Crown upon the whole of the issues, which were ten in number.

The Lord Chief Baron, with great perspicuity, summed up the evidence.—The Jury having retired to consider their verdict, returned in half an hour for the opinion of his lordship, whether the verdict should be general, or upon the ten separate issues. His lordship said, he considered the justice of the case would be better met by a verdict upon the issues separately. Upon which they again retired; and, having consulted together for two hours, returned a verdict for the Plaintiff upon the



first issue : That there was a stratum of hard gravel into which piles could have been driven ; and for the Defendant upon all the others.

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Nov. 25.

In Trinity term, the Attorney-General obtained a rule to show cause in the alternative, either why judgment should not be entered up for the Crown, *non obstante veredicto*, on the issue which was found for the Crown, or why a new trial should not be had on that part of the verdict which found that Mr. Laing had been authorised by the commissioners to direct the buildings, as there was no evidence of any such authority having been intrusted to him. Mr. Scarlett, on behalf of the defendant, obtained a rule, calling on the Crown to show cause why a verdict should not be entered for the defendant, *non obstante veredicto*, or why a new trial should not be had, on the ground that there was no evidence to support the finding that a stratum of gravel could be found, into which piles could be driven according to the specifications.

In Michaelmas term, Mr. Scarlett showed cause against the rule for the Crown : he read that part of the contract between the Commissioners of the Customs and the defendant, which stated, that where any doubt arose respecting any of the particulars mentioned in the specifications, the Commissioners of the Customs, or their architect, were to direct what might or what might not be admitted ; and, if in the progress of the work, the architect should think that the foundation should be sunk deeper, or that any additions should be made, or any of the particulars in the specifica-

tions omitted, it should be done, and the builder should make a proportionate charge. The specification placed Mr. Peto generally under the orders of the architect ; for every particular was followed up with the words, "as may be directed ;" so that, in fact, it was no specification, for it only specified that some other specification may be given. It was in the power of the architect to alter every particular.

If he had ordered that the piles should be altogether omitted, Mr. Peto was bound to do so ; and, consequently, if he had directed that the piles should be cut shorter than was required in the specification, Mr. Peto was bound to follow his directions. The Jury had found that, Mr. Peto had, in no particular, deviated from the original specifications, unless by the directions of Mr. Laing ; and by the contract Mr. Peto was liable to be discharged if, in any particular, he acted contrary to Mr. Laing's orders. The intention of the Commissioners, when entering into the contract, was evidently this—that as far as they could then determine on their plan, it should be according to the specifications, subject to such alterations as they might, during the progress of the work, deem prudent to make. Mr. Laing was the organ of their wishes respecting such alterations. Mr. Peto's judgment was entirely subservient to his. He told Mr. Laing, that the piles would not answer the purpose, and he recommended as a substitute what Mr. Smirke had since adopted. Mr. Peto declined to abide by Mr. Laing's directions in that particular, unless he had his written orders ; and could any one say, that, if the Commissioners had given to



Mr. Peto written orders to the same effect, a compliance therewith would amount to a forfeiture of his bond? — Certainly not — *ergo*, a compliance with such orders from their agent, their mouth-piece, could not operate as a forfeiture.

The Common Sergeant, Mr. Rotch, and Mr. Pattison, followed on the same side.

The Attorney-General, in support of the rule, said, that, admitting, for the sake of argument, that Mr. Laing was invested with all that dispensing power which the other side alleged he had, still no defence had been made out. The argument is, that, according to the contract, Mr. Laing had power to determine in matters of doubt, and that there was a doubt respecting these piles, which warranted Mr. Laing's interference. But, Mr. Peto says himself, that he knew the piles would not answer, and that of this point he entertained no doubt; and the Jury have found that there was a stratum of gravel, into which the piles could have been driven, according to the specification. The defendant having admitted that it was only in cases of doubt that this dispensing power was given, and it having appeared on his own showing that no such doubt existed on the occasion, judgment should be entered up for the Crown.

Nov. 27. The Lord Chief Baron proceeded to give judgment. His lordship said, the great question in this case, in whatever aspect it should be viewed, was the construction of the deed. That was an instrument under seal, and by which the defendant was bound. The defendant's counsel had, therefore, been driven to argue that, by the instrument, their client had a right to act as he had done — on

that alleged right the point in the case turned. If he (the chief baron) had entertained a doubt at all, he should have been unwilling to give any opinion upon the case, without consulting his learned brethren, who were more conversant with pleading than himself. It appeared to him, however, that the learned counsel for the Crown were in the right, because there was one of the issues on which the Crown had been declared entitled to judgment on merits — those merits which applied to every part of the case, and which were, consequently, decisive of it. The question was, first, should a verdict be entered up on the issue found for his majesty by the jury, namely, that which established that there was a stratum of gravel, into which the piles might and ought, by the terms of the agreement, to have been driven? The next questions were, whether judgment upon the remaining issues ought not similarly to be entered up for the king? Independent of the arguments of the learned counsel for the Crown, he thought it might be collected from those of the other side, that, unless they could prove sufficient power in the surveyor (Mr. Laing) to order the variances referred to, their case could not be supported. It seemed to him to be sufficient for the general purposes of the cause, to consider what ought to be done respecting the first issue. In that issue the Crown said that Laing (the surveyor), or his clerk of the works, had no power or authority, by the deed, to give any directions varying or altering the piling from the description and mode pointed out in the specification. The defendant affirmed, on the contrary, that Laing, or his



clerk, had such power, and, on that, issue was joined. The Crown charged that the work was not done according to the specification. The defendant says, "True; but the variance was directed, and authorised, by your surveyor, Laing." The question then became simply, was Laing authorised, or was he not; and that led directly to the construction of the instrument. If that instrument should (as he thought it ought) be looked upon in the plain straight-forward way in which all such documents should be received, it would then be seen whether it gave to Laing the authority relied on or not. On that point, he confessed, he never entertained any doubt whatever. In that instrument, Mr. Peto entered into an engagement on his part, in consideration of a sum of 165,000*l.* to erect certain buildings, and to complete the several works specified in plans, and according to scales numbered from one to thirty-one.—These were the obligations into which the defendant entered: but then he says, "It is true I have, by the deed, undertaken to do these things, but there are other provisos in it, which put me under the necessity of following the directions of the surveyor, whatever they might be. I was bound (as the learned counsel had ingeniously, and not too strongly, put it), if Mr. Laing had thought fit to alter the plan of the Custom-house to a plan for a church, I was bound, I say, to obey his directions, and go even to that extent." He (the lord chief baron) must admit, that, in thus arguing, the learned gentlemen had not gone too far: but how stood the facts? In the first place, it was a most marvellous circumstance that so important a power as that

here contended for, was asserted on mere parole authority, or by any other less formal mode, by which the whole scheme for the buildings in question might be altered. It was most marvellous that this power should be picked out by implication instead of having been expressly declared in the instrument. Could there be any article in a contract more important than a power to alter all the other stipulations of it? and yet, instead of its being set forth in the instrument, that extraordinary power was only picked out and maintained by argument. It became necessary here to look at the articles. (Here his lordship read the contract, and commented upon that passage in it which provided for the addition to, or the reduction of, the number of works specified at the discretion of the surveyor). Was it possible, therefore, he should ask, that it was intended a power should be given to the surveyor to vary the whole scheme, by substituting one thing for another? The sound construction of the passage necessarily was, that Laing should have the power to add to or diminish, but not to vary; and most particularly with respect to the foundation, on which the security of the whole edifice was to depend. (His lordship here referred to other clauses in the deed, declaring, as his opinion, that even by the most violent and forced construction of the instrument, it gave to the surveyor no such powers as would justify Mr. Peto in substituting other works for those expressly stipulated in it; and that, for the sum mentioned—165,000*l.*, the defendant was bound to complete the works as specified). It appeared, therefore, to him, that upon the first



issue, unsupported by any other, the Crown was entitled to judgment on all. He felt himself called upon to add, that Mr. Peto appeared to have acted throughout under the impression that he was justified in making the alterations referred to, by the directions of Mr. Laing. He regretted the unpleasant consequences to the defendant, but must declare that, upon the right of the Crown to the judgment he had just delivered, he had not, from the commencement, the slightest doubt.

Mr. Baron Hullock concurred in opinion with his lordship, that the Crown was entitled to judgment upon all the issues *non obstante veredicto*.

The Lord Chief Baron said, that Mr. Baron Garrow had authorised him to say, that he fully concurred in the judgment of his learned brethren.

Mr. Scarlett begged to know, whether, even had there been no stratum of gravel in existence, their lordships' judgment would have been the same?

The Court replied in the affirmative.

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PETIT TREASON.—LEWES,  
JULY 28.

*Before Mr. Baron Graham.*

Hannah Russell was indicted for murdering Benjamin Russell, her late husband, by administering to him a quantity of arsenic, at Brightling, on the 8th May last; and D. Leany was indicted as an accessory to the same murder.

The female prisoner appeared to be about 40 years of age, but was, in fact, only 31; and the man, who appeared to be about 30, was only 19.

Wm. Russell, the father of the deceased, said, he saw the deceased alive at his own house in the evening of Sunday, 7th May. He was then cheerful, and in good spirits. Witness lived about a quarter of a mile from his son's house in the same parish of Burwash. On the Monday morning, about one o'clock, he was aroused from his sleep by some dirt being thrown at his window. He got up, and opened the casement. The female prisoner was outside, and desired him to come down, and let her in. She said that Benjamin, his son, had dropt down in a fit, or was dead. The other prisoner, who was immediately behind her, said the same thing. They appeared to have come together, and wished witness to help to get Benjamin home. Witness dressed himself immediately, and accompanied Leany about three miles into the parish of Brightling, and Leany brought him to a foot-path, where they found the deceased lying stretched on his back. He was then dead, cold, and stiff. His clothes were on, and there was a handkerchief tied round his body. The spot was not far from the House of a Mr. Holloway, a farmer, about sixty or seventy rods from Gledish Wood. The deceased was lying stretched out on his back straight, the hands close to the body. The prisoner Leany then said, that he and the deceased had been stealing some corn from Mr. Holloway's barn, and had divided it into two parcels. The sack, which the deceased was carrying, was the heaviest, and he complained of a pain in his heart at the time. The prisoner then offered to take a turn of his load. The deceased declined, and advanced up the field with the load on his back,



and prisoner, on coming up to him, found him dead, but he did not know whether he had dropt down in a fit, or died a natural death. It was then so dark that witness could not see the dress of the deceased minutely. Witness and Leany then moved the body into Gleddish Wood, and placed it on some stubble. Witness's motive for so doing was to hide the shame of a transaction in which the character of his family might be injured, by its being discovered that a son of his had been guilty of a robbery. Witness returned home between four and five o'clock, leaving Leany to follow him at some distance. In his way home, he saw a person, named Thomas Hawkins, and spoke to him. Witness did not know the cause of his son's death until the following Wednesday, when the coroner's inquest was held. When examined before the inquest, he did not give the same account of the transaction, because he understood that those who helped to move the body would be punished.

John Woodsell proved, that, about eight o'clock, on the morning of the 8th May, he was going into Gleddish Wood, and saw Leany, who told him he had found a dead man (Benjamin Russell), who had been going after a tub of gin, and he (Leany) was to have met him at eight o'clock. He said, he thought the deceased had made away with himself, but said nothing about robbing Mr. Holloway's barn.

John Sheater proved his having a similar conversation with Leany, about nine o'clock, the same morning. Leany told him, he found the deceased lying on his back.

Robert Boules, a blacksmith, proved, that about seven o'clock

in the morning of the 8th of May, he called at Russell's house, and saw his wife; Leany came in soon after; she said she had been greatly alarmed that morning by a noise up stairs, as if somebody had jumped out of the bed. She considered it a token of somebody's death, and hoped nothing had happened to her husband. She said her husband went out, between four and five o'clock in the morning, towards Gleddish Wood, after a tub of spirits, and had ordered Leany to go after him in about half an hour. The prisoner Leany had lodged in Russell's house about six weeks.

Elizabeth Elliot proved having been at Russell's house about one o'clock on the 8th of May; both the prisoners were present. Mrs. Russell said her husband had been in bed with her till between five and six o'clock that morning.

— Hilder, a labourer, proved, that he went with the female prisoner to see the body of the deceased the day it was found. She said on the way, she supposed she would be forced to bury him on Wednesday, as she expected he would be very much swelled, because he had eaten so hearty a dinner and supper on Sunday. On their return to her house, witness asked her what time Leany went to bed on Sunday night? She said, why, Hilder? Witness said, "He was not in bed here—was he." She replied, "It does not make any odds to you." Witness then said, "Why, Ben (the deceased) was not a-bed here." She said, "Yes, that he was, by the side of me." Witness then told her he knew that Leany was not a-bed then, as he knew a man who had seen him. She said, "I know who told you that. It was Hawkins, curse him, he may as well keep his mouth



shut and look at home." Witness had put the questions in consequence of a conversation he had had with Hawkins. Witness had been at Russell's house the Sunday before.

Francis Russell, uncle of the deceased, proved, that the day the body was found, he asked Leany, whether he had been at home the night before; to which he replied, that he had, and did not get up till seven o'clock in the morning. Witness told him he had heard that he had been seen at half-past four. The prisoner then said, that he got up early to go to see his sister, but afterwards altered his mind, and returned and went to bed again. He said the deceased went out at six o'clock that morning.

Mr. Evans, a surgeon, proved that he examined the body of the deceased on the 10th of May. The mucous membrane of the stomach was in many places quite eroded. There was a considerable quantity of gross white powder adhering to it, which he analyzed, and obtained nearly sixty grains of white arsenic.

Joseph Oliver was at the deceased's house about three weeks before he died. Mrs. Russell was putting some poison, or white powder, on some bread and butter, and said it was for the mice; Leany and French were there, and saw her do it; does not know what she did with the bread and butter; she made no secret of spreading the powder on the bread and butter.

Ann Hicks said, she was at Benjamin Russell's house when the prisoner was expecting her husband home, and said she would cut his throat, break his head, or poison him.

Thomas Reef, being at deceased's house about fifteen or six-

teen days before his death, asked the prisoner where her husband Ben was? She said he was gone to bed. Witness asked her what made him go to bed so soon. She said, they had been falling out and fighting, and added, "I'll be up to him for this—I'll be the death of him before the summer is out." Leany was present and said, "Hush that up." She said, "I'll be cursed if I don't."

Thomas Luck had heard Mrs. Russell say several times, when speaking of her husband, "I wish he would drop down dead, and never come back any more."

James French, about eight or nine days before the death of the deceased, heard prisoner say, when speaking of her husband, that she would kill him, or in some way or other be the death of him. Her husband was present at the time, and on hearing her use those expressions, he went out of the room; there was then no quarrelling between them.

Robert Ellis, headborough of Hawkesborough, said, when he apprehended Leany, he found him and Hannah Russell sitting close together; he said, nobody could swear that either he or Hannah poisoned the deceased. When witness was taking the prisoners to Horsham, Leany said to Mrs. Russell, "Don't you say any thing; if you don't, nobody else can." Mrs. Russell said, "I'll try and clear myself."—This was the case for the prosecution.

The prisoners said, they had nothing to state in their defence.

The jury, after a few minutes deliberation, found the prisoners Guilty: and they were ordered for execution.



LANCASTER, FRIDAY, AUG. 18.

Alexander M'Keand, or Keand, and Michael M'Keand, were charged with the wilful murder of Elizabeth Bates, at Winton, near Manchester, on the 22nd of May. [See page 81.]

Martha Blears,—I am the wife of Joseph Blears, a publican, residing at Winton, near Manchester; about five or six in the evening of the 22nd of May, that man (pointing to Michael M'Keand) came to our house, and asked for a glass of beer; in about half an hour that other man, Alexander, came in; I had known him near twelve months; I had never seen Michael before; Alexander sold tea, and stockings, and other things, and was in the habit of calling in his travelling rounds; when Alexander came in, they did not seem to take any notice of each other for some time; Alexander asked for a glass of ale, and some bread and cheese, and, when I brought it, Michael said he would thank me to bring him a knife, and he would take some bread and cheese along with the other gentleman, meaning Alexander; I supplied both with more drink; I went in and out of the room several times: it was the bar; they did not appear to know each other for some time; there was a sofa in the bar; I had an opportunity of looking into the bar when they did not see me, and I saw them repeatedly whispering; they were both on chairs at this time; Alexander asked me, if my husband was at home? I told him he was gone to Manchester; they had then been above an hour in the house; he asked how long my husband would be away? I said I could not tell, but I hoped he would come back as

soon as possible; I asked him if he wanted him for any thing particular that I could do? he said, he only wanted to treat him with a glass of whisky; my husband came home about eight o'clock; Alexander shouted to him to come into the bar; he went in and sat down with them. Alexander called for two half noggins of whisky for each. My husband did not leave the room for many minutes that night, but he did leave it for a short time; when he was going out, Alexander said he should partake of another glass. They were served with two more noggins of whisky; while the others were drinking whisky, Michael had two glasses of wine, and one bottle of cider. Between nine and ten, I saw my husband lie on the sofa, seemingly very ill, intoxicated, and I saw Alexander pour some liquor into his mouth. This roused my husband, and he asked me for a glass of water. The pouring the liquor into his mouth made him nearly dead—he had no sense: he fell asleep again. I went and sat in the kitchen. I looked into the bar and observed the two prisoners whispering very close together. About ten o'clock, Michael said, I must let them have a bed, as they had a good deal of money on them, and did not like to walk to Manchester at night; I then said, if they could make shift, they were welcome; about a quarter of an hour before they went up stairs, both went out, and remained out about a quarter of an hour; Michael asked me if my husband went to bed when he was drunk? and I said sometimes he did, and sometimes he did not. Michael asked me, if I stopped along with him? and I said sometimes I did, and sometimes I did not. He then asked



if their bed was ready, and I told them it was. My family consisted of myself and my husband, a female servant (Betty Bates) and a boy. I told Betty Bates to take a candle and show them the bed they were to go to: it was a double-bedded room, over the kitchen. The boy, William Higgins, who is between 14 and 15, slept in that room, in the other bed. The boy had gone to bed about nine o'clock. It was after eleven when I told the maid to light the prisoners to bed. I saw her bring the candle, to light the men up stairs; and the prisoner left the bar, Alexander going first. I don't believe the prisoners Michael ever went up stairs. [Here the witness appeared faint, and took her bonnet off; she had dreadful marks of wounds across the forehead, and under the left eye.] About two minutes after I heard Betty make a dismal cry; I was sitting in the bar, where my husband was asleep; on hearing this, I took up the candle, and was going out of the bar-door to run up stairs; I had not got one foot out of the bar into the lobby before Michael put his hand against my breast; he had something in his hand which he stuck in my neck; he dragged me upon my knees opposite the bar; clapped his hand on my throat, and gave me this wound in the forehead. [Here witness showed a deep wound over her nose.] He then stabbed the knife under my eye, and it stuck there; he then went out at the back-door, leaving me with a knife fast in my eye, and bleeding very much. The prisoner tried to get the knife out, and, in doing so, pulled the handle off. I heard it drop on the floor. I remained quiet, until I heard the back-door open. While he was with me, he held me

by the throat so that I could not cry out. When I rose from my knees I heard a whistle at the back door; I ran to the cottage of Richard Andrews, who lived near, and who is married to my niece, and gave the alarm.

Joseph Blears, landlord of the public house, confirmed many of these circumstances.

Michael Higgins. — I am fourteen years old; I lived with Joseph Blears at the period in question; I went to sleep in the double-bedded room about nine o'clock; I had been in bed about three hours, when I was awakened by a noise; I saw a man, Alexander M'Keand, whom I had known before, with his left hand round Betty Bates's neck, and doing something that I could not see; he appeared to be making his nonsense with her; there was a lighted candle in the window which is between the two beds; I saw the man and the woman struggling at the end of the drawers, which are at the foot of my bed; my bed had no curtains; I was then lying down in bed; she kept saying, "Give over, and be quiet," and then I saw the blood gushing down from her throat; this was after I had seen the prisoner's left arm round her neck; his right arm was somehow across the woman's neck; he flung her down upon the floor, and she screamed out "murder!" I saw them struggling very hard upon the floor, and then the woman got up and caught hold of his legs, and said, "I'll mark thee, man." He flung her down a second time, and did something more at her, but what it was I could not see, it was at the side of her neck. He left her then, and came to me; I had not sat up before he came to me, nor do I know how he saw me;



when he came to me I rose up, and he put his left hand on my mouth, and thrust me down again ; his hand left blood upon my face ; he kept his hand upon my mouth ; the woman at this time got up, and was going out of the room, and he caught her at the door. I saw him struggling with her at the door place ; they stood upon their feet. I got out of bed, and rushed past behind the woman ; he made a grasp at me, and marked my shirt with his bloody hand, but he did not keep hold of me ; I jumped over the bannister and escaped. When I passed them, he (Alexander) followed me down stairs ; I ran out through the back kitchen, and out at the back door ; I ran round the back of the house to the front, and he followed me to the railing in front of the house ; I ran down by the railing, and through a stile, and back along a hedge and a ditch, where I concealed myself.

Richard Farraday. — In consequence of a hand-bill I had seen, I went in search of the prisoners ; I overtook and passed them at Kitling, three miles from Appleby. I went to the public-house, and got assistance ; and when Alexander came up, I asked him to take a glass of ale, which he accepted ; I then told him he was my prisoner, and gave him into custody ; I was going to take the other, when Alexander was making his escape, and I seized him by the arm, and gave him to the two men ; Michael was then coming up to strike me, when I seized him, and secured him. Before the magistrates, Alexander gave his name Matthew Kirk, and the other gave his name Carse. I looked at Alexander's hand, and found the marks on it answering the description in the hand-bill.

Alexander M'Keand, being called on for his defence, protested his innocence ; he had treated Blears, and they had both got very tipsy ; Blears struck him several times, saying, he could beat three such men as he, after which he could give no account of any thing that had happened.

Michael M'Keand said, that, on the day of the murder, his brother, whom he had not seen for a week, asked him to assist him in getting in some debts due to him in the neighbourhood. He sent him forward to Blears's house, telling him to have a glass of ale, and wait his coming. The prisoner then described their all drinking together, and his brother getting very tipsy, and quarrelling with the landlord ; he could give no further account ; but his life hung upon a thread, and he called upon that God before whom perhaps he was shortly to appear, to witness his innocence of having committed the murder, or of ever having been aiding in such a crime.

The jury found both prisoners Guilty.

#### TRIALS OF RIOTERS IN YORKSHIRE AND LANCASHIRE.

*York Assizes, July 12.*

John Holdsworth and William Bolton were tried upon an indictment, in which they were capitally charged with having, on the 8th of May last, in the parish of Bradford, along with divers other persons, riotously assembled in disturbance of the public peace, and with endeavouring to destroy the factory or mill of Messrs. John Garnett Horsfall, William Horsfall, and Timothy Horsfall, situate in Bradford. The



indictment was on the 52nd Geo. III. cap. 30, sec. 2, which enacts that "if, after the passing of this act, any person or persons, unlawfully, riotously, or tumultuously assembled together in disturbance of the public peace, shall unlawfully and with force demolish or pull down, or begin to demolish or pull down, any erection, and building or engine, which shall be used or employed, in carrying on or conducting any trade or manufactory of goods whatsoever, then every such demolishing or pulling down shall be adjudged to be felony without benefit of clergy."

A great number of witnesses were called; and from their testimony it appeared, that, some days previously to the 3rd of May, meetings had taken place among the poor people of Bradford who were out of employment. On the 2nd of May a hand-bill was published, announcing that a meeting would take place on the following day, to take into consideration the distressed state of the operatives. The meeting accordingly took place, on the 3rd of May, when upwards of a thousand people, armed with sticks and bludgeons, assembled together. After some speeches had been delivered, the crowd fell into a line, and proceeded in marching order to Messrs. Horsfall's mill. The mill is situated at one extremity of Bradford, and it employs power-looms, which require few hands. The proprietors had been employed for some days in putting the mill into a state of defence; and, besides arming their own men, they had procured ten of lord Grantham's yeomanry. The mob arrived at the mill about one o'clock, and poured a volley of stones at the doors and windows.

The windows were all driven in, and the mill sustained so much injury, that it became necessary for the persons within to fire. In doing so, they killed one person. Colonel Tempest and other magistrates then came up and read the Riot act. The prisoner, Holdsworth, said to colonel Tempest, "What are we to do, are we to starve?" The other prisoner Bolton was also observed to be active in throwing stones.

Mr. Baron Hullock summed up the case, and the jury retired.

At half-past twelve o'clock this morning the jury came into Court, and returned a verdict, finding Holdsworth Guilty, and Bolton Not Guilty; at the same time recommending Holdsworth to mercy.

*Lancaster, August 14.—Blackburn Rioters.*

James Chambers, Simeon Wright, Thomas Dickinson, and Richard Entwistle, were indicted for being concerned in the late riots and destruction of machinery at Blackburn.

Mr. John Kay the constable, and Mr. Eccles, one of the proprietors of the mill, proved the general riot and the damage done to the machinery.

Mr. John Kay the constable, deposed to the activity of Chambers in the riot, and to his giving encouragement to the rest of the mob.

Mr. Robinson, clerk to the magistrates, saw Chambers in the riot waving a hammer over his head, and encouraging the mob to break the looms, and never mind the soldiers, and afterwards took from him the hammer, which was produced in court.

The rev. Richard Noble, a magistrate, saw Simeon Wright at



tempting to make his escape from the factory yard ; the prisoner had a stick with which he aimed a blow at the head of witness, and was immediately after taken into custody by Mr. Robinson.

Mr. Robinson confirmed the testimony of the previous witness.

Thomas Cain saw Richard Entwistle striking at the power looms with a piece of iron taken from a loom. Entwistle came up to the witness and said, this was " queer work."

John Morton, assistant to Kay, the constable, apprehended Entwistle, who said, it was unfair to take him without the other two men whom he named.

James Chambers said, that he went to see what was doing, and called as a witness Henry Harewood, a cotton weaver, who had known the prisoner from a child, and always thought him an honest man.

Simeon Wright said, that he was amongst the mob without any evil intention, and that as soon as he saw danger, he ran away, and in his fright committed the assault.

Richard Entwistle said, that he was at his own work until after the looms were destroyed.

The judge having summed up the evidence, the jury could not agree in their verdict, and retired. After a long absence they returned into court, and gave a verdict of Guilty against all the prisoners but Dickinson, whom they found Not Guilty.

William Winder, John Howard, William Charnley, and Elizabeth Howard, otherwise Betty Howard, stood indicted for offences similar to those of the last prisoners.

The general evidence of the riot was of the same nature as in the other case.

All the prisoners, except Charnley and Elizabeth Howard, were found Guilty.

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James Riding, William Sutcliffe, Richard Kay, James Latham, James Ormond, James Howard and Thomas Bolton, were indicted for having, on the 24th of April, 1826, at Blackburn, with force and arms, feloniously broken open a cotton mill belonging to Bannister Eccles, and Co., and destroyed the machinery in the said mill.

John Kay.—I am a constable of Blackburn ; on Monday 24th of April last, about three in the afternoon, I was in Darwin-street, Blackburn, where I saw several hundred persons, who were coming through the Market-place, towards Mr. Eccles's factory ; some of them were armed with pikes, and others with guns, axes, hammers, clubs, and sticks. They were walking together as a mob generally goes ; I followed them to Mr. Eccles's factory, which they reached before me. When I got to the factory yard, there were many hundred persons in it ; those who carried the pikes and guns, stood at the doors and windows ; some of them had their pikes standing, and others had them shouldered. The mill was nearly full of persons ; I went into the mill, and at the door I met some men coming out ; I stopped the first man, but, as soon as he saw me, he got back again to the crowd ; I took the pikes, hatchets, and hammers now produced, from the persons in the factory yard. Whilst I was there, about sixteen of the 1st dragoon guards arrived, and they assisted me in disarming the mob ; several men escaped out of the yard, because they were so numerous that we



could not keep them. Whilst I was in the yard, I heard the breaking of windows at the back part of the mill, and the people, who were watching in the yard, said, that their companions were breaking through the windows at the rear. I went into the lower room of the factory, and I there saw all the machinery broken and destroyed. I know the prisoner, Sutcliffe. I met him at the door of the mill, and asked him what he was doing there. He made no answer, but got back as quickly as he could. I don't know any thing about the other prisoners.

Mr. Eccles Shorrocks.—I had a cotton-mill in Blackburn, in April last, for spinning and weaving by power-looms. My partners were, Bannister Eccles, Joseph Eccles, and John Eccles. On the 24th of April last, about three o'clock in the afternoon, I saw a mob of persons coming towards my mill. The outer gates, and the doors of the lower rooms, containing two hundred and twelve power-looms, a lathe and other machinery, were locked. In the upper rooms there were dressing machines. The looms in the lower rooms were fastened down to the stone floor by a hole drilled into the stone, and a wooden plug driven into it. The power of motion is communicated to those looms by a steam-engine, which is on the premises. The mob consisted of several hundred persons. After they broke open the gates, one party formed to the side of the mill. That party, consisting of about thirty persons, were armed with pikes. There was an equal number similarly armed on the other side of the mill. Others of the party broke in the doors of the mill, which I entered in about thirty-five

minutes afterwards. I was in the warehouse, which overlooks the yard, and I saw the people break into the mill, and shortly afterwards they brought out the twist beams (part of the power looms), and several pieces of cloth which had been in the looms. Before the mob broke into the mill, there were about two hundred pieces of cloth in the looms. The cloth was torn in the yard in the presence of the mob. The doors appeared as if they had been broken by large hammers. The looms in the lower rooms were all broken. The cast-iron wheels and the drums of the engine were broken. It would require considerable force to break them. The shafts were thrown down, but they being made of wrought iron, about an inch and a quarter in diameter, could not be broken. The shafts were in caps or gal-lowses, which must either have been broken or forced before the shafts could be thrown down.

Rev. Richard Noble.—I am a clergyman and a magistrate for this county. On the day of the riot I was in Darwin-street, Blackburn, which, together with the fields adjoining, was filled with people. I had sixteen dragoons and a small party of infantry with me. We went the nearest way to Mr. Eccles's factory, but the crowd was so great outside the yard, that I could not get in until the military made way. Numbers of persons, who were making their escape from the factory yard, passed close by where I stood and some ran against me.

Evidence was also adduced to show that the prisoners took an active part in the riot.

The jury having retired for a few minutes, found all the pri-



soners, with the exception of Bolton, Guilty, but recommended them to mercy.

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KING'S BENCH, OCTOBER 17.

*Marsden v. Robert Waithman, Esq. M. P. and another.*

This was an action of trespass brought by the plaintiff, who is an inhabitant of Thavie's Inn, Holborn, against the defendants alderman Waithman and Ansley, who are magistrates of the city. The declaration stated, that, on the 31st. of Jan. 1825, the defendants illegally signed a warrant of distress against the plaintiff's goods for poor-rates, alleged to be due to the parish of St. Andrew, Holborn, and that, by virtue of the said warrant, certain persons entered the plaintiff's house, and seized his furniture, which they retained possession of until he had paid them the sum of 4*l.* 7*s.* 6*d.*—The defendants pleaded Not Guilty.

Mr. Gurney stated the case for the plaintiff. The object of this action was to try the validity of a poor-rate made by the parish of St. Andrew, Holborn, upon the inhabitants of Thavie's Inn. Formerly Thavie's Inn was inhabited by students at law, and, although locally situated within the parish of St. Andrew, Holborn, it had been always considered as extra-parochial, until within a few years, when the parish of St. Andrew, Holborn, assessed the inhabitants for the poor-rates. That assessment was resisted, and a verdict passed against the parish; but, notwithstanding this, the defendants had signed a warrant for a similar rate levied by the same parish.

Mr. Scarlett having admitted

the levying of the distress upon the plaintiff's goods, by the authority of a warrant signed by the defendants, addressed the jury for the defence.—The only question in this case was—Was Thavie's Inn extra-parochial, or not? An extra-parochial place paid tithes to the king, and, by the 30th section of an act of parliament passed in the reign of king William, for levying a land-tax, it was provided, that two separate assessors should be appointed for each extra-parochial place. If there were any evidence that Thavie's Inn had either paid tithes to the king, or had assessors appointed under the Act of William, it would be proof, that, at remote times, the commissioners considered this Inn to be extra-parochial, but no such evidence had been or could be offered. Thavie's Inn was originally the property of a citizen of London, named Thavie, who, in his will, made so far back as the reign of king Edward III., described it as being in the parish of St. Andrew, Holborn, on the south side. In a subsequent conveyance of this property from R. Etchman to G. Nicholls, the place was described in a similar manner; and, in a conveyance of the same property, in the year 1551, from G. Nicholls to W. Roper and others, the benchers and treasurer of Lincoln's Inn, it was described "situate, lying, and being, in the parish of St. Andrew, Holborn, in the Ward of Farringdon Without." Now, could it be contended, that lawyers would have suffered a property which they had purchased to be improperly described? No such thing. But, taking for granted, that it had been then improperly described, was it not improbable that some



centuries afterwards, in the year 1771, when the benchers of Lincoln's Inn (one of whom was lord Mansfield) disposed of the property, they would have continued in their deed of conveyance an improper description? In that deed, the place was described, as being in the parish of St. Andrew, Holborn; and, in a deed of 1774, upon the repurchase of the place, by the benchers of Lincoln's Inn, it was similarly described. In an act of parliament passed in the 14th Geo. II., for enlarging the burying-ground of that parish, Thavie's Inn was stated, as being part of the parish of St. Andrew, Holborn. He should produce assessments of the parish, from the year 1728 to 1774, when it was regularly assessed for poor, church, and watch-rates, and six out of eight persons paid.

The will, deeds, and act of parliament alluded to by Mr. Scarlett, in the course of his speech, were produced by clerks, from different public offices, and extracts from them were read. There were several witnesses called, but they could not swear that they had ever known the inhabitants of Thavie's Inn to pay parish rates; assessment books from the year 1728 to 1766 were also produced, and in those under the head, "Thavie's Inn," there were names of persons assessed for 6s. 6d. and 2s. 6d., &c., with crosses opposite some of their names, signifying that those sums had been paid; but in those books there did not appear that any assessment had been made upon the houses on Holborn-hill. It was also proved that the land-tax and the church-rate had, in some instances, been paid by the inhabitants of Thavie's Inn; that the place had been frequently assessed

to all parish rates, but that the inhabitants had generally refused to pay; that the searcher of the parish of St. Andrew, Holborn, searched the bodies of the persons who died in Thavie's Inn; and the general understanding in the parish for many years was, that the Inn was extra-parochial.

Mr. Gurney, in his reply, contended that his learned friend (Mr. Scarlett) had not made out his case. With respect to the non-payment of tithes to the king, he would merely observe, that neither of the Societies of the Temple paid tithes to the king; yet they were beyond doubt extra-parochial. The description of the Inn, in the wills and deeds, was perfectly correct, because it was, beyond doubt, locally situated within the parish, but that circumstance did not necessarily make it part and parcel of the parish. There were different extra-parochial places in England, situated in the midst of parishes. The learned counsel concluded, by arguing, that however the heading "Thavie's Inn," got into the assessment-books produced in evidence, it was quite evident the entries under that head, were entries of the assessments upon Holborn-hill.

His lordship having summed up, the jury instantly found a verdict for the plaintiff—Damages 4*l.* 7*s.* 6*d.* Thereby deciding that the Inn is extra-parochial.

ADMIRALTY SESSIONS, OCT. 24.

*Slave-Trading.*

The grand jury presented a true bill against Thomas Young, Master of the brig Malta, of Liverpool, for having feloniously and piratically taken and carried



away four females, within two miles of the main land of Africa, and sold them as slaves.

The Attorney and Solicitor-general, sir C. Robinson (the king's Advocate), and Mr. Barnett, conducted the prosecution; Mr. Curwood appeared as counsel for the defence.

Sir Christopher Robinson stated the case for the Crown. The prisoner, who was master of the *Malta*, belonging to the port of Liverpool, left England in the Spring of 1825, on a trading voyage to the African coast, taking out with him a cargo of British manufactured goods, chiefly cutlery, which he was to barter or exchange with the natives, for gum, ivory and other commodities. In November following, he arrived off the coast near the island of St. Thomas, in company with a Spanish and a French slave-ship; went up the country, and entered into contracts with the natives for supplies of gum and ivory. The practice of the trade is, to take hostages for the performance of these contracts on the part of the Africans, and accordingly several of the natives were brought on board the *Malta*, all of whom were subsequently released, with the exception of the four women referred to in the indictment, said to be the wives or sisters of some of the petty princes, whose friends having failed to make good the contract, he determined to sell them as slaves. The natives did, however, eventually make good their engagements with him, and claimed the release of the women; but the prisoner, instead of complying with that demand, replied, that he would not let the women go, unless some other of the natives, with whom they had

no connexion immediately came forward and fulfilled their engagements. The relatives of these unfortunate women remonstrated against this determination, but were compelled to leave the ship without them. Whilst these things were going forward, the prisoner had contracted an acquaintance with the captain of the Spanish slave-ship, and eventually the four African women were offered for sale to the mate of that vessel, who, it seems, was very ready to purchase them. The mate of the slaver was brought on board the *Malta*, and the women were exhibited one by one—at length the seller and the purchaser came to an understanding—the unhappy Africans were put into the boat that lay alongside, and taken on board the Spanish vessel, which was fitted up as a regular slave-ship, without the prospect of ever again being restored to their country or their friends.

Daniel Clifford, the steward of the *Malta*, was examined by the Attorney-general. — After stating the several particulars in regard to the voyage detailed by counsel, he proceeded to say, that the names of the four women were Nourah, Pikinini, Jumbo Jack, and Quarbel. The latter was called princess Quarbel, as a mark of distinction, because her husband was one of the native princes. Prisoner told the husbands of these women in witness's hearing, that unless king Quarbel would make good his contract, he should sell every one of them as slaves. He also said, that there was a Spanish vessel lying off St. John's, which dealt in slaves, and that he would sell them to the captain of that ship. The



Spanish schooner was then in sight. The mate of the schooner came on board the Malta soon after the conversation between the prisoner and the natives ; he spoke good English, and asked prisoner, if he had any goods to sell ? the prisoner's reply was, that he had some woollen cloth, beads, iron, and four women. The Spaniard appeared to catch at the mention of the women, and asked to see them ; they were brought out of the steerage by witness, under the prisoner's direction. The Spaniard viewed them one by one ; he said there was a French slaver laying farther up the river, and as the Frenchman had no small articles, he could get no slaves ; he would, therefore, be likely to purchase them, especially as they were good-looking women ; Nourah, in particular, seemed to please him, but the prisoner objected to parting with her. The Spaniard went away next morning. His name was Rotch. On the 18th of November, the Spanish mate returned with the schooner, and was received with a salute of four guns ; her captain and four of the crew came on board the Malta. The Spanish captain, the prisoner, and a man named Antonio Tong, who interpreted between them, went down into the cabin, and had something to drink there. Witness heard the interpreter tell prisoner, that the Spanish captain came to buy the goods of him, and the prisoner then said, " Tell him, that the four women whom I spoke to the mate about, may be had for sale." Witness was then ordered by prisoner to bring them up from the steerage, in order that they might be seen ; they were stripped, and the Spanish captain took them one after another by the shoulders,

and turned them round, and after examining them, he went away to his own vessel ; the next morning, he returned, and after conversing for some time about the small goods, beads, cutlery, &c. the prisoner desired Antonio Tong to tell the Spanish captain that " he wanted to get the women off his hands at all events." The communication being made, the Spaniard asked Tong what price was set upon them, and prisoner replied, " I want only sixty dollars for each." The Spanish captain said, he would not give so much, and placed twenty-eight dollars on the table, as the price of one. The prisoner said, " No, no, I will not take that." The Spaniard declared, that he would give no more, and the prisoner, after some delay, said, " Well, let him have them." Soon afterwards a boat came from the schooner with money, which her captain sent for ; it consisted of dollars, and when counted out, the interpreter told the prisoner, " This is the money for the women." Prisoner counted it, and gave it to witness to put in a bag. The Spanish captain then went away, and prisoner said to witness, " As for Nourah, I do not want to part with her, on account of her friends being people of some consequence ; besides, she is an old acquaintance ; but d—n her let her go—I'll sell her, for it is not likely I shall ever come to this coast again." They were then brought upon deck, and as they were going over the gunwale into the boat the prisoner said, " Well, Nourah, you are going for a Spanish man." The women were crying bitterly as they were lowered down the side of the vessel, and the prisoner must have perceived their distress, as he was standing on the side. On that



occasion, presents were exchanged between the prisoner and the captain of the Spanish vessel; witness was sent to the schooner the next day, and saw there the four women; they cried *hullah*, and shook him by the hand, with symptoms of friendly remembrance. There were about sixty or eighty slaves in all on board the schooner; the males were manacled two and two; the females were not in irons; a few of the slaves were on deck, the others in the hold, but the former were to go below. The tide ebbs and flows in the river Danjah, where the Malta was then moored.

Cross-examined by Mr. Curwood.—Prisoner had quarrelled with some of the crew, and got a good drubbing while the Malta lay in the river Danjah; both his eyes were blackened, and his head cut; there was not a mutiny in the ship; did not consider that it was an act of mutiny in a seaman to strike the captain, when the captain first struck the seaman. There were some desertions, four of the crew left the vessel; was always on good terms with the prisoner, though the latter had accused witness of stealing cloth, after he had been made prisoner on board the Brazen; it was in that ship witness first made the charge against the prisoner; did not know that he was entitled to prize-money on account of the ship becoming forfeited for trafficking in slaves; had no such object in view when this charge was brought.

John Walker examined by Mr. Solicitor-general.—Was mate of the Malta during her last voyage to Africa. When lying in the river Danjah, there were six women in pawn—one of the other two

was the wife of the captain; the sixth, belonged to a trade man—they were all redeemed; but the prisoner said he should keep four of them, on account of a debt which the king of Gamboon had not settled. He held them as hostages, and would sell them for slaves, unless it was paid within a certain time. The mate of a Spanish Schooner came on board the Malta, and witness heard the prisoner ask him to buy the women; in order to enhance their value, the prisoner said, that they belonged to families of some consequence in Gamboon, and if taken there, they might be exchanged very advantageously, as their husbands would give four slaves for each of them. Heard the prisoner say, that he was a native of Galway in Ireland.

By Mr. Justice Park.—Came home from Africa in the Edward, a transport ship. The Malta was condemned for slave-dealing at Sierra Leone. Prisoner had charged him with robbery, but without any grounds for so doing.

Laurence Woods, examined by Mr. Solicitor-general.—Was present at the sale of the four women to the captain of the Spanish schooner; they seemed very reluctant to leave the vessel, until assured that they were going to be sent home to their own country. The prisoner had frequent quarrels with the crew owing to his own want of firmness.

The case for the prosecution closed here.

The prisoner then handed in a written defence, which was read by the clerk of the Court. He contended that the women never had been sold; but that they were only transferred to the Spanish schooner, for the purpose of being



left at their own country, when the Malta was leaving the African coast; and that the charge of which he was now accused, was got up amongst some of the crew, who had good reason to expect that he (the captain) would prosecute them for mutiny when the vessel returned to England.

The jury retired at half-past four o'clock, and in about twenty minutes they returned a verdict of "Not Guilty."

#### ADMIRALTY SESSIONS, OCT. 25.

##### *The King v. Kenny.*

Edward Kenny, lieutenant of the 89th regiment of foot, was next put on his trial, charged with the manslaughter of Mr. Robert Charlton, surgeon of the Bussorah, on her voyage from Madras to England. The circumstances of the case were shortly these:—In March last, the Bussorah sailed from Madras for England, having on board lieutenant Kenny and Mr. Robert Charlton. When she arrived off the Cape, these gentlemen were on such terms of friendship, that Mr. Charlton was in the habit of living in lieut. Kenny's cabin, where they ate and slept together. On the 23rd of April, which day was celebrated as the king's birth-day, a great deal of wine was drank by them. About 12 o'clock at night they went up to the poop of the ship, and there a flash of a pistol was seen. Mr. Oakes and the captain immediately examined the poop, but seeing nobody, they went below again, and, shortly after, another discharge of pistols was heard, upon which they went up again, and saw Mr. Charlton, who had been shot, in the arms of the prisoner. As to

the cause of this quarrel, there was no evidence whatever; the only circumstance which could throw any light on it, was an observation made shortly after the fatal occurrence, by lieutenant Kenny—"It is all through a d—d woman."

William Metge, lieutenant of the 45th regiment of foot, examined by Mr. Maule.—In the month of April last I was on board the Bussorah. We sailed from Madras on the 3rd of March. The prisoner was on board, being on his return to England, on account of ill health. Mr. Charlton was the ship's surgeon. On the 23rd of April, we were off the Cape of Good Hope; I had seen lieutenant Kenny and Mr. Charlton that evening; they were occupying the same cabin; and were on terms of the strictest friendship. I was in Mr. Kenny's cabin with them. We were drinking rather deeply; we sang several songs—"God save the King," &c. At length, I proposed going away; Mr. Charlton got up, and said to me, that I should not go then. He then went out, and I remained for about a minute or two in conversation with lieutenant Kenny. On going away, I saw Mr. Charlton coming back with a bottle of wine in his hand. The next time I saw them was about twelve o'clock, on deck; Mr. Charlton was in great bodily pain; lieutenant Kenny, in great distress of mind, quite frantic, and saying, "Throw me overboard, or do what you will with me." This occurred about an hour after I had left the prisoner's cabin. On reaching the spot on which the conflict had taken place, I saw the body of the deceased; examined it, and found what I considered to be a bullet wound immediately under the right breast. The ball ap-



peared to have gone through the body, and to have come out at the opposite side.

Cross-examined by Mr. Alley.—There had been, owing to a certain irregularity in Dr. Charlton's conduct, a difference between him and the captain, who had, in consequence, expelled him from his table, deprived him of his cabin, and of his allowance of fresh provisions. The deceased would have been thus without a bed on which to rest, and reduced to the necessity of eating salt provisions for the remainder of the voyage, but for the kindness of the prisoner, who shared his own cabin and his own allowance of fresh provisions with him.

Charles Oakes was then called, sworn, and examined by Mr. Twiss.—I was an officer on board the *Bussorah*, on her homeward voyage, on the 23rd of April last. I saw Mr. Kenny and Dr. Charlton together, at about twelve o'clock that night, near the poop. It was a beautiful moonlight night; I saw a flash as if from a pistol held by Mr. Kenny, upon which I immediately went below, and called the captain, who came out directly in his shirt and slippers; we went to the steerage, but did not find the parties there, and, on our return from thence, heard the report of pistols; five minutes had elapsed between the time at which I saw the first flash, and the report of which I now speak. Immediately on hearing the report of the pistols, I ran to the poop, and saw a sailor lifting up the deceased, who, he said, had been shot dead. Lieutenant Kenny was on the deck at that time, and said, "Oh, God, I have shot the best friend I ever had in my life."

Here the case for the prosecution closed

The prisoner, in a most impressive manner, proceeded to read an address, which contained the following statement:—

"On the 26th of January last, I embarked for England, on board the *Bussorah* merchant, private trader, having obtained leave to return to Europe, on account of ill health. My disease was of a very painful nature, and had been contracting during service with my regiment, the 89th foot, in the Burmese empire. My disorder affected the superior and inferior extremities, and even extended to some part of my body, and at that time I had suffered acutely under its ravages, for a period of more than ten months; and although I now feel a material improvement in my health, my disorder was much too deeply rooted to admit of an easy or a speedy cure, and I still continue to suffer severely from its effects. On the 12th or 13th of March, circumstances which are not necessary to be repeated in detail, had the effect of depriving the deceased of his cabin, of his seat at the cuddy-table, and of placing him on salt provisions. When I was apprised of this order, I immediately entreated him to share my meals and my cabin (to which I was then confined by indisposition), and he accepted my offer with apparent gratitude. About the 15th of April the deceased came to me in a state of great agitation; he told me he had been insulted, and desired me to call for an immediate explanation. On inquiry, I found he had conceived an erroneous idea, and that no insult was intended, and he acquiesced in my opinion and conciliatory advice; soon after, another affair, but of a more delicate nature, demanded the services of a friend,



and he again made use of mine. This affair, however, was also compromised by my assistance and friendly attention. Motives of delicacy prevent me from detailing the circumstances, but they are well known to lieutenant Metge. In this state we continued until the 23rd of April. The former part of that day was spent like the preceding days—we rose early, sat down to breakfast at eight, and to dinner about three o'clock, in my cabin. Being still indisposed, I ate but sparingly, and, to avoid temptation after dinner, repaired to the steerage, where the deceased soon after joined me, and entered into conversation with a lady in one of the stern cabins. In the evening, as usual, we attended the ladies on deck, and, shortly after, met on the poop, where we remained till about eight o'clock, amusing ourselves with general conversation. About nine the deceased, lieutenant Metge, and myself, repaired to my cabin, to pass a convivial hour, it being the anniversary of his majesty's birthday. A bottle of Madeira was opened; and, after drinking the king's health, and the singing of two or three appropriate songs, I presented the deceased with a silk handkerchief in remembrance of the day, which he accepted with expressions of the warmest gratitude. It was now about a quarter or half-past ten o'clock, when a bottle of claret was placed on the table, of which the deceased and myself only partook, lieutenant Metge having declined to do so. About eleven the deceased went out for another bottle of wine, leaving lieutenant Metge and myself in conversation. In this state we remained for about ten or fifteen minutes, when lieutenant Metge

went away. The deceased returned soon after his departure; and from that moment, I have to date the origin of my irreparable misfortune. On the return of the deceased, I was standing by my cabin-door, where I observed something, which prompted me to charge him with having broken his promise. His answer was, to a gentleman, the most insulting expression which the English language affords; to this insult, I replied with equal warmth. An immediate challenge was the consequence—the instruments of destruction were unfortunately too near at hand, and in a few minutes I became the most miserable of mankind. The offensive words which caused so sudden an appeal to arms, were spoken outside my cabin-door, and that in a crowded ship. I might have imagined that both challenge and insult would have been overheard by many persons: but I was every way doomed to be unfortunate, and the very act of my kindness towards the deceased—the fact of our living together in the same small space, became the cause of the fatal occurrence, and of dooming me to perpetual anguish in the recollection of the event. From the fatal day, the 23rd of April, to the 9th of July, I was a prisoner on board, and for a great part of that time, closely confined, with centinels at my cabin-door, nor was I, for the whole of that period, permitted to go on deck. From the 9th of July, the day on which I landed in England, up to the 19th of August, when I was admitted to bail, by the kindness of the lord chief justice, I was under confinement, and for the greater part of the time in the gaol of Newgate; having thus suffered an imprisonment of four months, while labouring incessantly



under severe bodily indisposition, aggravated by mental sufferings bordering on despair."

Many witnesses were called, who spoke of the prisoner's character in the highest terms.

The Jury, after a moment's consultation, returned a verdict of Guilty, but recommended the prisoner to the most lenient consideration of the Court.

In reply to the usual question of the officer of the Crown, the prisoner having pleaded the benefit of clergy,

Lord Stowell addressed him in these words—"Edward Kenny, you have been convicted of the offence of Manslaughter, committed as has appeared, upon a person with whom you had been in particular habits of friendship. This fact must have often occurred to your mind, and produced the most poignant regret, and I should deem it to be not only highly improper, but absolutely unjust, to press further upon those feelings—those feelings which honourable testimony has proved you to possess, and the influence of which will I trust prevent the occurrence of a similar crime. This Court having taken into consideration the whole of the circumstances of your case, adjudge, by way of punishment for your violation of the law, that you pay a fine of 10*l.* to his majesty, and that you be imprisoned until the same be paid."

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OLD BAILEY, OCT. 31.

*Arson.*

Charles Thomas White, aged 23, bookseller, was arraigned for feloniously setting fire to, and burning a certain dwelling house in Holborn, in the parish of St.

Giles-in-the-fields, on the night of the 4th and morning of the 5th of August last. There were two other indictments against him for similar offences at different periods. He pleaded not guilty.

Michael Shine, a watchman.—No. 265, High Holborn, is in his beat; on the morning of the 5th August, he heard an alarm of fire from a woman, at the prisoner's; a Mr. Lazarus lived there; he rang the bell, and Mr. Lazarus opened the door; there was a light from the fire on the kitchen stairs; he went along the passage and down the kitchen stairs; the stairs were quite in a flame; he got water and extinguished the flame; he broke up two of the stairs; he broke down the lath and plaster to see that there was no fire remaining. The two steps of the stairs were nearly burnt through; the flames seemed as if hanging down, and dropping like burning gas. About half an hour afterwards, Riley, the beadle, produced two pieces of link; after that, he thought that the flame he saw had been produced by links. He looked, but he saw nothing like a gas-pipe. Furzeman, Riley, and a fireman, named Mills, had come before he left the place; there was a step-ladder placed against the closet-door, under the stairs. He saw the prisoner when he first went to the house; he thought he wore a long grey coat.

Samuel Furzeman, watch-house keeper of St. Giles-in-the-fields.—

On the 5th of August he went to the house of the prisoner, at two o'clock in the morning, with the engine. When he got there, his brother and Riley had arrived a little before him. He examined the place, and observed to Mr. White that there was something



wrong about the fire. He looked under the staircase, and found it all burnt to a cinder. He then asked White, if he suspected any one in the house, for there was something wrong; it had been set on fire. White said, that, some time before, the table in the front kitchen had been set on fire. He examined the table, and thought that some liquid had been on the table; it was oak. White said, none but Mr. Lazarus's family and the servant had any business there, and he suspected Lazarus's servant, Margaret Drew. She was called down, and an altercation took place between Lazarus and White, who should make the charge; the prisoner insisted, that as she was Lazarus's servant, he should. Riley came to him, and wished him to search the premises; under the plaster, under the stairs, he found two pieces of link, about nine inches long; and on a ledge under the stairs there was some pitch, which appeared to have dropped from a link; one of the pieces of link fitted the place. He then went to White, and asked, if he had any links in the house; he said, he never had any thing of the sort; the girl was then taken into custody; there was no gas conductor where the fire was. On the 11th of August, Lazarus and the prisoner called upon him, in consequence of his sending for them; White said, that he had been dining with his mother, and that she had told him there were some links in the house six or eight months before; he wanted them to go to Mr. Bradford's, where he understood some links had been bought; they did not go then, but went the next day; he asked White what he could want with links six or eight

months ago; he said, he had a party of friends, who were sitting in the yard, when the candle had been blown out, and they then had links to light them. Lazarus, White, Mr. Davis, a broker in Holborn, myself, and the prisoner's wife, went together to Mr. Bradford's. Lazarus said to Mr. Bradford, "Am I the person who bought the links?" he said, "No, you are not." Bradford's boy was there. The prisoner then said, "I can prove, by two witnesses, that I was in bed at twelve o'clock that day" (the 4th of August). It was said by Mr. Bradford, that the links were bought between eleven and one on that day, but he could tell better if he saw the gentleman (Mr. White) in his morning gown. Witness said to White, "You will have no objection, to go home and put on your morning gown?" Lazarus said, he would go home, and put on every dress he had, and shew himself. White said, "I shall do nothing of the kind. I shall not make a puppet-shew of myself." On the morning of the fire, he saw the prisoner in his morning gown. When he next saw him in it, the sleeves appeared to him to be cut shorter.

Cross-examined by Mr. Phillips. —It is a quarter of a mile and upwards from White's house to Bradford's. The way lies through a crowded neighbourhood. Bradford and his boy were silent respecting the face of the person who bought the links. They spoke more of the coat.

Philip Riley produced the two pieces of link. He found them amongst the lath and plaster that had been pulled down.

Thomas Dodwell is shopman to Mr. Bradford. On the 4th of



August he sold two links, he believes, to the prisoner; it was from eleven to one, or half-past one, but cannot be positive: the person was dressed in a grey morning-gown; the links had more pitch on them than is usual; it is not common to sell them in summer time; the links before him are like those he sold; he afterwards saw the prisoner in his grey morning gown, in October, in St. Giles's watch-house; he thought it was the same gown he had seen before, but it was cut shorter in the tail; he observed nothing else. The links were taken away in a blue bag.

Mr. Bradford corroborated the evidence of Furzeman and Dodwell.

Godfrey Lazarus.—Witness is a jeweller and general dealer. He went to bed on the 4th of August about twelve o'clock. He awoke about an hour and a quarter after, and found his room full of smoke. He unlocked his door, and gave an alarm of fire. With his child in his arms he ran down to the street door; as he was opening the street door, the watchman rung the bell. There was a middle door in the passage to cut off the communication with the shop. He went with his family to Little Turnstile. When he returned he found Furzeman questioning the girl about the fire. They asked him to give charge of the girl as she was suspected. Witness took her accordingly to the watch-house, and, on his return, found the prisoner laughing in the passage. Witness said to him, "Mr. White, I really see nothing to laugh at." They then went into the parlour, and White said to him, "If I was you, I would not prosecute her." He answered, "Mr. White, I don't

know what you mean; you first make me take up the girl, thinking her intentions were to burn nine or ten persons in their beds, and now you tell me you would not prosecute her." White gave him no answer. He afterwards attended at the police-office, and the charge was dismissed. There is a trap door over the garret. On the night of the 1st of August, the trap door was open, and a ladder placed against it. He called to Catherine, the prisoner's servant, to know what it meant. He then moved it down stairs. He could not shut the trap door; he had never seen it open before. The usual place for the ladder was between the kitchen and the cellar wall. He had never seen it near the trap door before; it remained down stairs till the fire.

Margaret Drew was Mr. Lazarus's servant on the 5th of August. She did not set the house on fire. She had no pitch in the house, nor had she been using any. She never had any on her hands.

William Hopkinson, the owner of the house, had let it to White's mother; his interest in it was worth something more than 700*l*.

A clerk in the British Fire-office, the subscribing witness to the policy, said, the insurance was for 3,500*l*.—350*l*. upon household goods, printed books, wearing apparel, and plate, 150*l*. upon jewels, trinkets, &c., 200*l*. for fixtures, &c., and 2,800*l*. upon stock in trade.

Mr. Coxhead, bookseller.—In August he had an opportunity of looking at the stock, and there appeared to be in value about 600*l*. or 700*l*.; he saw the stock a short time before August, and did not notice any augmentation in it of consequence; there were a few



works more than before, worth perhaps 100*l*.

Mr. Wilson, bookseller.—There appeared to be about 800*l*. worth of books.

This was the case for the prosecution.

The prisoner on being called for his defence, read from a paper he held in his hand his account of the transaction. It denied all knowledge of the manner in which the fire had taken place. He also denied that he was the person who had bought the links. With respect to his stock, he begged to say, that it considerably exceeded 2,000*l*. in value. He had made no demand upon the fire office, nor had he endeavoured to conceal what had taken place from any body; on the contrary he had written to the British Fire Insurance Company an account of the fire. He had also advertised—first, a reward of two guineas, and afterwards of five, if the person who bought the links would come forward.

The following witnesses were then called for the defence—

Daniel Longley was in the service of Mr. White, as shop-boy, in August last. Remembers taking the ladder to get a piece of petrified wood out of the loft. He left the ladder where it was. His master told him, when asked, that he might do as he liked about carrying it away. His master had a pair of steps and ladder in the shop, exclusive of the one he had used. There is another trap door from the loft. He left the lower trap door open. This was about a week before the fire. Witness did not sleep in the house. On the day before the fire his master rose from bed about twelve o'clock. When he came down, witness asked him if he knew the hour.

White answered, he supposed it was ten. Witness told him it was twelve. White then went into the parlour to breakfast. He staid there till half-past one.

Cross-examined.—Can't recollect what hour his master came down the day after the fire. His master sometimes went out with a blue bag.

Re-examined.—The blue bag lay in a drawer under the counter, and was there the whole of the day in question.

Ann Slack mended a morning coat of the prisoner's in September; she mended the sleeves and covered the buttons; she made no alteration in the length of it.

Mr. Justice Park summed up the evidence.

When his lordship had reached the evidence of the servant maid, and was commenting upon the alleged alteration in the appearance of the morning gown,

The prisoner said—"My lord, the tailor who made and repaired my morning-gown, is in court; and he can prove that no alteration has been made in its length."

Mr. Justice Park.—This places me in a very painful situation. The prisoner believes the evidence of this person to be necessary to his defence, and yet the witness has been in court all the time that I have been addressing you, and has, of course, heard the comments that I have felt it my duty to make upon that particular part of this case.

—Kinsillee, the tailor.—I made this coat for the prisoner. [Here he measured the dress.] No alteration whatever has been made in it since it was first delivered to him, except these little repairs done to the cuffs: all gowns of this kind are of the same length.



Mr. Justice Park.—What ! For men of all sizes ?—Yes, my lord.

The coat was here handed to the jury, who appeared to examine it with great attention.

The learned judge then resumed the summing up of the evidence.

After about ten minutes consultation, the jury sent up a written paper to Mr. Justice Park, who thereupon ordered Margaret Drew to stand forward.

She was examined by Mr. Justice Park.

Had you the care of the front kitchen occupied by your master, Mr. Lazarus, in the house of the prisoner ?—I had.

When you went to bed on the night in question, did you leave any fire in the kitchen grate ?—No.

Nor candle-lighting ?—No ; I never leave any fire in the grate. I suffer the fire to expire. I cannot say at what time the fire went out on that night.

Did you meet the prisoner on the stairs as you were going up ?—I did.

Had he a light in his hand ?—He had.

At half-past five the jury returned into court, and the prisoner was put to the bar. In answer to the usual question, the jury returned a verdict of Guilty.

He was executed on the 2nd of January following.

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COURT OF COMMON PLEAS,  
Nov. 10.

*Kempson v. Saunders.*

This was an action tried at the last sittings, in London, to recover the sum of one hundred guineas, being the amount of certain rail-road shares sold to the plaintiff, under the following circumstances.

It appeared, that, during the mania for Joint-stock Companies, one was formed, and intituled, the Northern and Western Rail-road Company ; they formed a committee, appointed directors, and went through the usual course pursued on such occasions, and twenty shares had been sold to the plaintiff, for which he paid the sum of one hundred guineas. The shares were issued on the small deposit of 2*l.*, and it appeared that the difference between that sum and 5*l.* 5*s.*, was a premium on the purchase. The fact of the purchase, at the market price of the day, was fully proved. But on the other side, it was contended, that the sale was an illegal transaction, and that, the bargain being void, the defendant was justified in resisting the demand made upon him. It further appeared that the company was not yet legalized by any act of parliament, and that one of their resolutions forbade the transfer of shares until such act of parliament should be procured. In fact, however, the act never was applied for, and the company had been for some time dissolved. For the defendant generally, it was contended, that, if it were an illegal transaction in him to sell, it was also illegal in the plaintiff to purchase, that he (plaintiff) knew what he bought, and that therefore he could not be entitled to recover.

The lord chief justice told the jury, that the company not intending to do any thing without the previous sanction of an act of parliament, could not, so far, be considered illegal. The defendant sold what he did not possess, and the plaintiff was clearly intituled to recover. The jury under his lordship's direction, found a verdict for the plaintiff.



Mr. Sergeant Vaughan now moved for a rule to shew cause, why the verdict should not be set aside, and a new trial granted.

The lord chief justice (after consulting with the court for some time) said, I am clearly of opinion, that my direction to the jury was correct, and all my learned brothers fully concur with me. The company could not be brought within the meaning of the Bubble act, for one of their resolutions expressly provided that no transfer or sale of shares should be made, until an act of parliament was first obtained.

This plaintiff was inclined to become a speculator, and had he speculated in an illegal company, he most undoubtedly could not have recovered; but I cannot see that the provisions of the 6th of Geo. 1st affect this company. Nothing was to be done, no shares transferred, till the sanction of the legislature was obtained. While things were in this state, the defendant thinks proper to effect this sale. He sold "a nothing," and it was no justification for him to say, that he had previously bought that "nothing" of another party. Let him then seek redress of that party, and thus go on till we get at the original sinners. There is no pretence whatever for granting the rule.

The other judges concurred, and the rule was refused.

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LIABILITY OF DIRECTORS OF  
JOINT-STOCK COMPANIES,  
DEC. 20.

*Harris and another v. Perring.*

Mr. Sergeant Wilde stated the case for the plaintiffs. This was an action for work and labour done, and money had and received on ac-

count of the plaintiffs. The demand in question arose out of the insertion in the newspapers of sundry advertisements relating to certain Joint-stock Companies, of which the defendant was a director. The sum claimed was about 330*l*. The present plaintiffs were the executors of the late Mr. Newton, who had an establishment in London for receiving advertisements for the newspapers. Mr. Perring, the defendant, was a merchant of the city of London, well known as a man of property and undoubted respectability. He had been selected as a defendant in the present case, principally on account of the respectability of his character. The defendant was one of the directors of a Joint-stock company known by the name of the Norfolk, Suffolk, and Essex Railway Company. He was likewise director of another association, denominated the Cornwall and Devonshire Tin and Mining Company. The sum due from the Norfolk, Suffolk, and Essex railway company for advertisements, was 243*l*. 5*s*. 10*d*.; and that for the Cornwall and Devonshire mining association, 99*l*. 9*s*. 6*d*.

Mr. John Wood, secretary to the Cornwall and Devonshire tin and mining company, was then called and examined. He deposed, that the association was formed in April 1825, when witness was appointed secretary. He knew Mr. Phillip Perring, the present defendant; that gentleman was one of the directors of the company. I was present (continued the witness) at the first meeting of the company, and saw Mr. Perring there. On that occasion he acted as a director. I have since seen him at several meetings of the directors acting in the same capacity. He continued to attend



and act as a director up to September last. I know that advertisements were inserted in the newspapers relative to the company, and that Messrs. Newton were employed for that purpose. As secretary, I gave orders repeatedly for the insertion of advertisements. I was authorised to do so by the directors. My authority will appear, if the minute-book of the society is examined. Those advertisements were published according to my direction, and the bills for them were furnished by Messrs. Newton. The accounts will be found among the papers of the company. The bills (now produced) were delivered. There are two or three of them; they were laid on the directors' table once or twice. Three payments were made on account of them. I can't precisely say how much was paid.

The bills for advertisements for the Cornwall and Devon company I now hold in my hand. The first account begins on the 4th of April, and ends June 7; its amount is 37*l.* 12*s.* 6*d.* The next is from the 8th of June to the 1st of August, and amounts to 123*l.* 14*s.* 7*d.* The last is from August 9 to September 11, and is for 57*l.* 4*s.* 8½*d.*, making a total of 559*l.* 11*s.* 9½*d.*

Mr. George Sheldrake examined—I was secretary to the Norfolk, Sussex, and Essex railway company. I was appointed on the 28th September, 1825, and acted till last March. I had been clerk before. Mr. Perring attended about one and twenty of the meetings. Mr. Perring acted as a director. He did not belong to the committee of accounts. There was a committee of traffic; he acted on that. A balance sheet of the concerns of the company was made out. It was prepared by a person named

Wilks, in the presence of the directors. This is a copy of it; it was printed and sent round to the proprietors. I saw Newton and Co.'s bills for advertisements presented. There were three or four bills sent in while I was there. There is an account in the balance sheet for advertisements amounting to 492*l.* 15*s.* 5*d.* Newton and Co. were the only persons employed to insert advertisements. 492*l.* was the amount of their bills, and a balance of 292*l.* 15*s.* 5*d.* remained due to them, 200*l.* having been paid.

Mr. Sergeant Vaughan, with whom was Mr. Campbell, addressed the jury for the defence: contending that his client had nothing to do with the company in August 1825, when the debt was incurred.

Under the direction of the lord chief justice, a verdict was then entered for the plaintiff, for 99*l.* 9*s.* 6*d.*, the amount of their demand in respect to the Cornwall and Devonshire Mining Company.

In another action, a verdict was taken for the plaintiffs, in respect to the Norfolk, Suffolk, and Essex railway, for 49*l.* 9*s.* 7*d.* (the sum claimed), and in regard to the Cornwall and Devonshire Mining Company, for 57*l.* 4*s.* 8*d.*, a total of 106*l.* 14*s.* 3*d.*

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LIBEL.—COURT OF KING'S-  
BENCH, GUILDHALL,  
OCT. 19.

*Buckingham v. W. J. Banks,*  
*Esq. M. P.*

This was an action brought by the plaintiff, who is the proprietor of the *Oriental Herald*, to recover from the defendant compensation in damages, for loss and injury sustained by the plaintiff in



consequence of the defendant having published a false and scandalous libel of and concerning the plaintiff. The defendant pleaded Not Guilty, and also put upon the record several pleas justifying the several parts of the alleged libel.

The following evidence was given for the plaintiff :

H. W. Hobhouse.—I was in the civil service of the East-India company. I think, because my writing is on it, that I received the letter now produced. I received it from the plaintiff at Trieste, in the year 1819. The letter was unsealed when I received it, in an inclosure. Before I received it I had some conversation with the defendant about it, but I do not remember the particulars. I think the defendant told me, that he had seen the plaintiff in Syria, that the plaintiff was going to publish a work—that he, the defendant, considered the plaintiff's conduct unfair towards him, that he had written a letter to the plaintiff from Thebes, and that he would send me a copy of it. He did send me the copy in a few days inclosed in the letter now produced.

The letter was here read, it was dated November the 16th, 1819, and was to the following effect:—

“Dear Sir—I have found the rough draft of the letter, which I wrote to Buckingham, when I first saw his advertisement in the Calcutta newspaper. I send it to you inclosed. There may be a few verbal alterations, since I kept no duplicate. I wish you to show it to my friend Mr.——, at Aleppo, and to Mr. and Mrs. Rich, at Bagdad. You may make what use you think proper of it ; but if, on your arrival in India, you find the work withdrawn, it

will be better perhaps to be merciful to him.

“Yours, &c.

“W. J. BANKES.”

The following libel was then put in and read:—

LETTER to Mr. Buckingham, dated from Thebes, June 12, 1819.

“Mr. Buckingham—After some anecdotes respecting your conduct, which you cannot but suspect must have come, however late, to my knowledge before this time, you cannot expect that I should address you otherwise than I should the lowest of mankind. It is indeed with reluctance that I stoop to address you at all. It will require, however, no long preface to acquaint you with the object of this letter, since your own conscience will point it out to you from the moment that you shall recognise a hand writing, which must be familiar to you, since you have copied it, and are about to turn the transcript to account. You have hoped that the distance of place would befriend you—you have hoped that I should shrink from proclaiming that I have been imposed upon. It would have been far more politic in you to have shrunk from being proclaimed the man who has imposed.

“In that advertisement, by which you announce as your own the works of another, you have at least spared me the humiliation of being named in the list of your friends. Though the motive of this is sufficiently obvious, and it furnishes in itself both a proof and an aggravation of your culpability, yet some of those who are made to appear in that list would rather, I am persuaded, that you had invaded their property as you have mine, than have subjected



them to so unmerited a stigma ; one amongst the number (whom you would not have dared even to allude to had he been alive) is unhappily unable to repel the imputation in his own person, I mean the late Mr. Burkhardt, whom you so imprudently cite as your bosom friend. The boast is rash and ill-timed.

“ Are you not aware that copies of a letter are extant, in which he styles you a villain ; in which he says that the rogue can be brought to a sense of duty only by a kick ? Do you wish then to publish your own disgrace, by letting the world know how well you were known to that excellent person, who, during the two last years of his life, lost no opportunity of testifying his contempt and aversion for your character.

“ Do not imagine that these sentiments were confined to the page of a single letter. Sheik Ibrahim was too open and too honourable to wish others to be deceived, as he had been for a time himself. Had his letters to me reached me sooner than they did, I should have had timely warning to beware how I trusted you, and you would never have had that opportunity which you have seized of abusing my kindness and confidence.

“ It is beneath me to expostulate with you, but I will state some facts to yourself which I have already stated to others—that the journey beyond Jordan to Dgerask and Omkais was arranged, and the Arabs under engagement to conduct me thither before I ever saw you ; that you introduced yourself to me by a letter, stating that you were intimate with some of my best friends, and studiously concealing from me (both then and

afterwards) that you were in any person's employ ; that it was at my invitation (I being always under the supposition that you were a free agent) that you went with me, having previously agreed to take down my notes and the journal when I should wish it ; that the whole expenses of that journey were upon me ; that the notes and journal were in great part taken down from my mouth (especially what relates to Dgerask), with the exception of that of the two or three last days, which were written with my own hand, and afterwards copied fair by you ; but above all, that the plan of the ruins at Dgerask was constructed and noted with my own hand, and that all the assistance that I derived from you, even in collecting the materials for it, was in your ascertaining for me the relative bearings of some of the buildings with my compass ; that as to the plan of the theatre, you did not even know that I had made it till you saw it at Nazareth.

“ It is hardly necessary to remind you that you neither copied a single inscription, nor made a single sketch on the spot, since you are, I know, incapable of the one, and your ignorance of Latin and Greek must, I should suppose, unfit you for the other ; add to which you had not a single sheet of paper on which you could have done either, if I except a pocket-book about four inches square.

“ The great ground plan was traced at a window of the convent at Nazareth (as both my servants can testify), and you have copies from my drawings at the tombs at Omkias, taken at the same time. These last are probably to furnish the vignettes and appropriate engravings which are announced.



“Surely you must laugh at the simplicity of your subscribers when you are alone, with whom you are to pass for a draughtsman, being ignorant of the very first principles of design ; for an accurate copier of inscriptions, being ignorant of all the ancient languages ; and for an explainer of antiquities, being incapable of even distinguishing between the architecture of the Turks and the Romans. I have said enough. It is in vain to attempt to make a man sensible of ingratitude who has been guilty of fraud.

“What I demand is, the immediate restitution of those copies from my papers, without exception, and without your retaining any duplicates of them. Let them be put into the hands of sir Evan Nepean, whom I have begged that he will do me the favour to take charge of them ; and let all that portion of the work advertised that treats of a journey made at my expense, and compiled from my notes, be suppressed. I leave you otherwise to take the consequence : should you persist, the matter shall be notified in a manner that shall make your character as notorious in England and India as it is already in Egypt and Syria. You will find that you have not duped an obscure individual, who is obliged to bear it and hold his tongue. WM. J. BANKES.

“When this letter was written, I did not know that the person to whom it is addressed was editor of the paper in which his long-winded advertisement appeared, but supposed him to be still at Bombay.

Several letters, which passed between the plaintiff and the defendant, in 1816, were put in and read, in order to shew the

terms on which the parties were, and the favourable opinions expressed by the defendant of the plaintiff. The advertisement in the Calcutta Journal, announcing the appearance of his book, was also put in and read.

John Murray.—I am a publisher in London. The manuscript now produced I received about five or six years ago ; when I parted with it, I believe it was given by Mr. Clerk to Dr. Babington ; this was some months after I received it.

Cross-examined.—At the time I got the manuscript back from Dr. Babington, I had not seen the letter Mr. Bankes sent to Mr. Hobhouse ; Mr. Buckingham sent me two or three portfolios of drawings and engravings ; can't say how many drawings ; there were more than two ; might be five or six ; the rest consisted of old French engravings. Those produced are some of the old engravings.

Dr. Babington.—I am a physician ; have travelled in the East ; I became acquainted there with Mr. Buckingham in April, 1815 ; we travelled together in the East ; in that year I saw Mr. Buckingham copy inscriptions in India ; I have never seen him make drawings or sketches ; I saw Mr. Buckingham in Madras, in April, 1818, where I have seen manuscript notes of his travels ; I believe I have seen those now produced, but I can't say positively ; the books in which the notes from which the account of Djerask was drawn up were small ones like those now produced. When I returned to this country, I went to Mr. Murray's, in order to look after Mr. Buckingham's interest. I got the manuscript now produced from Mr. Murray in the end of January or the beginning of February,



1820. I gave the manuscript to Messrs. Longman and Co., but I don't know whether the book was printed from this manuscript. I have never compared the manuscript with the printed book. Mr. Buckingham introduced me to Mr. Burkhardt, at Cairo, and to colonel Misset, at Alexandria. He appeared to be on intimate terms with them. He introduced me to the one in November, and to the other in December, 1815. In consequence of his introduction I received civilities from those gentlemen. When Mr. Murray returned me the manuscripts, he gave me up a number of drawings, perhaps between twenty and thirty, certainly sufficient to make vignettes for each chapter. I think I have seen Mr. Buckingham take sketches of head-lands, when we were travelling together near the Red Sea, but I can't speak positively to that fact.

Mr. Arrowsmith.—I am a chart-engraver ; I have compared the drawing of the Ruins of Geraza in the published book with the drawing (Mr. Buckingham's) now produced, and they correspond. I have compared the smaller one (the copy of Mr. Bankes's) with the one in the books, and they differ materially in the bearings. In one place they differ as much as seven points. There are eighteen places in the whole map. I measured thirty or forty bearings, and I found that in eight out of ten of them, there was a difference between the drawing in the book and the smaller map. There is also a difference in the shape of the figures and of the buildings. There are in the drawing in the book two rows of pillars which are not to be found in the smaller map. There are many other variations.

This was the case for the plaintiff.

Mr. Gurney addressed the jury for the defendant. Mr. Bankes, he stated, was a gentleman of great acquirements, who, instead of wasting his youth in dissipation, had devoted it to the advancement of literature and science. Whilst he was thus employed, he had the misfortune to fall in with the plaintiff, who was at that time, in plain English, nothing more than a messenger for a company of merchants, who had given him a sum of money for conveying their despatches ; but which he intrusted to the hands of a stranger, leaving the despatches to shift for themselves. When the plaintiff wrote the letter in question, he was considerably irritated, and it was natural that he should, when he saw that he was, by a person under obligations to him, about to be deprived of the fruits of years of toil and labour—years which he might have spent in all the enjoyments of his native land. He did not mean to say, that those feelings would justify the defendant in writing that which was not true ; but he trusted that he should be able to show that every statement was perfectly true, and then, of course, damages would be out of the question.

The deposition of Mr. Biggs, of Bombay, stating, that the plaintiff had, upon the occasion in question, been employed to convey despatches over-land to India, and that he had sent them by another person, having been read, the French engravings having, in the margin, the plaintiff's manuscript instructions for the necessary alterations, as to costume, &c, were put in, and the marginal notes were read in evidence.



A. Da Costa, examined through an interpreter.—I was in the defendant's service during the time he was travelling in Syria. I was in his service for seven years; I entered his service in 1813; I was with him in Egypt and in Palestine; I first saw Mr. Buckingham at the convent in Jerusalem; the defendant was then on the Dead Sea; the plaintiff asked me if I would be good enough to deliver a letter to my master; he said that he came from Bethlehem, and that he had been in Egypt. He said, that he knew Sheik Ibrahim (Mr. Burkhardt), and colonel Missett, in Egypt. I delivered the letter to the defendant, who read it, and then tore it into pieces. At that time Mr. Bankes had an Arab with him, to make an application to the governor of the town, to release his son out of prison. The son was liberated, and I then went to bring another Arab to accompany us on our journey. The Arab's name was Mahomet Mehedi. Mahomet Mehedi was with Mr. Bankes before I saw Mr. Buckingham. The plaintiff afterwards made an application to Mr. Bankes for permission to accompany him to Djerask.—The defendant refused, and said he did not wish to have any company. The plaintiff made application two or three days before Mr. Bankes gave any answer. After some time, permission was given to the plaintiff to accompany the defendant, upon the plaintiff's promise that he would go for pleasure, and not either write or make any drawings. I saw the party set out. The party consisted of Mahomet, who came from Egypt, Mahomet Mehedi, two Arabs, and Mr. Buckingham. The servant, Mahomet, carried a portfolio, a tin case

for drawing-paper, and compasses. All those articles belonged to Mr. Bankes. Mr. Buckingham had no portfolio. I kept Mr. Bankes's money in a bag, but Mr. Bankes took some in a girdle which he had about his body. Mr. Buckingham left his servant at Jerusalem. I paid the Arabs 250 piastres. I took the money out of the bag; Mr. Buckingham never put any money into the bag. On one day he asked me for the loan of ten dollars, but I said I could not give them without my master's orders. I afterwards gave him the money by my master's orders. I saw the plaintiff at Nazareth, writing a copy of my master's note-book. I recollect the defendant making the produced plan at Nazareth, after his return from Djerask. I afterwards saw the plaintiff tracing the plan at the window of the Convent.

Giovanni Benatti examined, through an interpreter.—I was in Syria, and went by the name of Mahomet; I acted as interpreter to the defendant, whom I accompanied to Djerask. I was with the defendant when he agreed with the Arabs to guide him to Djerask. Mahomet Mehedi, the Arab, who had accompanied Mr. Bankes from the Dead Sea, had a son in prison, in Jerusalem; and, to procure his release from prison, the defendant made the governor a present of a telescope, some silver, and pearls for a lady's necklace. I carried the defendant's portfolio to Djerask. The plaintiff had no paper; the day was raining, and Mr. Bankes was in a grotto, taking a drawing of Djerask; Mr. Bankes was speaking, and Mr. Buckingham was writing. The plaintiff did not make any drawing. During the journey there



was no money paid, except a trifle which I gave as a present to the Arabs. I know the little book now produced; I saw Mr. Bankes writing in it. One day, at Nazareth, I saw the plaintiff, who was in the room, take a paper out of it, and copy a plan at the window.

Mr. Charles Barry.—I visited Djerask in 1818. I was accompanied by Messrs. Godfrey, Wise, and Bayley. I made a plan of the place by measurement. I was there two days. The plan now produced is my plan, and it is correct. I have seen the published plan of that place; it appears to be a copy of the original plan taken by the defendant. The defendant's plan is not correct, but is more correct than the plaintiff's, because it has not so many errors in it as the plaintiff's. In the plaintiff's and the defendant's plans the walls are waving in some places, but I say, that, as far as my observations went, the walls are angular. In the printed plan there is a military curtain in a part of the walls, but the place so marked is merely an angle of the wall. In the printed plan there are two towers marked on the right hand, but there are no such things in that angle. At the opposite corner of the city there are many towers, which are not in the printed plan. There are also two rows of pillars in the printed plan, but there are no such things in the city. The bearing of the theatre, and the drawing of it, which are in the printed plan, are not correct. The remains of a bath, stated in the printed plan, do not exist. That which is stated in the printed plan to be an aqueduct, is the remains of a bridge.—Many of those errors are common to both plans—

Mr. Bankes's plan and Mr. Buckingham's. I am an architect by profession.

The Hon. Capt. Irby.—I am an officer of the royal navy. In the year 1818, I accompanied Capt. Mangles, R. N., and Mr. Bankes, to Djerask twice, and remained seven days there in all, and took a plan of the town by measurement. My plan agrees with Mr. Barry's plan. I mean that I only assisted Mr. Bankes in making the plan now produced. I did not make any plan. The plan which I have called my plan is the second plan taken by Mr. Bankes. I was travelling in Egypt, in the year 1817; and in Syria, in 1818. I travelled in Asia Minor afterwards. I heard of Mr. Buckingham, at Aleppo and Cairo; and that, instead of proceeding on his mission to India, he was travelling about the country.

Capt. Mangles.—I was twice at the ruins of Djerask in the year 1818, and assisted Mr. Bankes and the last witness in taking a plan of the place. It is a correct plan. I knew Mr. Burkhardt, who went by the name of Sheik Ibrahim. I heard Sheik Ibrahim and Mr. Barker, the consul at Aleppo, speak of Mr. Buckingham.

Mr. Brougham objected to any question being put as to what either of those persons said of the defendant.

The Lord Chief Justice.—Then I can't allow any to be put. In your plea, Mr. Gurney, you state that the plaintiff was notorious in those countries; but what one man says of another in one country, and what another person says of the same person in another country, are not sufficient evidence to sustain such a plea.

Colonel Leake.—I am secretary



to the African Society, and have seen letters which are stated to be the letters of Sheik Ibrahim, but I did not know him, neither did I correspond with him. I was not the secretary of the society at the time; I have seen the Greek inscriptions in Mr. Buckingham's book, and there are errors which I should not expect from a person having a knowledge of Greek. There are errors in the Latin inscriptions. The word "Pyræum" was inserted for the word "Pyraeus."

Mr. Beechy.—I was acquainted with the late Mr. Burkhardt; I know his hand-writing; the letters now produced are in his hand-writing.

Extracts of letters from Mr. Burkhardt, expressing a very un-

favourable opinion of the plaintiff, were read.

The Lord Chief Justice having directed the attention of the jury to such parts of the justification as had been proved, observed, that the plaintiff was entitled to their verdict. The first letter written by the defendant to the plaintiff appeared to be in consequence of considerable irritation, but for the republication of it to Mr. Hobhouse, no such excuse could be offered. The jury would therefore find for the plaintiff such reasonable damages as would shew they had been guided by sober judgment, and not by angry feelings.

The Jury, having retired for twenty-five minutes, found a verdict for the plaintiff—Damages 400*l*.



# PUBLIC DOCUMENTS.

## I.—DOMESTIC.

COPY of CORRESPONDENCE *between the* TREASURY *and the* BANK DIRECTORS, *relative to an Alteration in the* EXCLUSIVE PRIVILEGES *of the* BANK of ENGLAND.

Copies of Communications between the First Lord of the Treasury and the Chancellor of the Exchequer, and the Governor and Deputy Governor of the Bank of England, relating to an alteration in the Exclusive privileges enjoyed by the Bank of England.

No. I. *Fife House, Jan. 13.*

Gentlemen.—We have the honour of transmitting to you herewith a paper, containing our views upon the present state of the banking system of this country, with our suggestions thereupon, which we request you will lay before the court of directors of the Bank of England for their consideration. We have the honour to be, gentlemen, &c.

(Signed)

LIVERPOOL.

FREDERICK JOHN ROBINSON.

*The Governor and Deputy-Governor of the Bank of England.*

The panic in the money-market having subsided, and the pecuniary transactions of the country having reverted to their accus-

tom course, it becomes important to lose no time in considering whether any measures can be adopted to prevent the recurrence in future, of such evils as we have recently experienced.

However much the recent distress may have been aggravated, in the judgment of some, by incidental circumstances and particular measures, there can be no doubt that the principal source of it is to be found in the rash spirit of speculation which has pervaded the country for some time, supported, fostered, and encouraged, by the country banks.

The remedy, therefore, for this evil, in future, must be found in an improvement in the circulation of country paper; and the first measure which has suggested itself, to most of those who have considered the subject, is a recurrence to gold circulation throughout the country, as well as in the metropolis and its neighbourhood, by a repeal of the act which permits country banks to issue one and two pound notes until the year 1833; and by the immediate enactment of a prohibition of any such issues at the



expiration of two or three years from the present period.

It appears to us to be quite clear, that such a measure would be productive of much good ; that it would operate as some check upon the spirit of speculation, and upon the issues of country banks ; and whilst, on the one hand, it would diminish the pressure upon the Bank and the metropolis, incident to an unfavourable state of the exchanges, by spreading it over a wider surface ; on the other hand, it would cause such pressure to be earlier felt, and thereby ensure an earlier and more general adoption of precautionary measures necessary for counteracting the inconveniences incident to an export of the precious metals. But though a recurrence to a gold circulation in the country, for the reasons already stated, might be productive of some good, it would by no means go to the root of the evil.

We have abundant proof of the truth of this position, in the events which took place in the spring of 1793, when a convulsion occurred in the money transactions and circulation of the country more extensive than that which we have recently experienced. At that period nearly a hundred country banks were obliged to stop payment, and parliament was induced to grant an issue of Exchequer-bills to relieve the distress. Yet, in the year 1793, there were no one or two pound notes in circulation in England, either by country banks or by the Bank of England.

We have a further proof of the truth of what has been advanced, in the experience of Scotland, which has escaped all the convulsions which have occurred in the money-market of England for the

last thirty-five years, though Scotland during the whole of that time has had a circulation of one-pound notes ; and the small pecuniary transactions of that part of the United Kingdom have been carried on exclusively by the means of such notes.

The issue of small notes, though it be an aggravation, cannot therefore be the sole or even the main cause of the evil in England.

The failures which have occurred in England, unaccompanied as they have been by the same occurrences in Scotland, tend to prove that there must have been an unsolid and delusive system of banking in one part of Great Britain, and a solid and substantial one in the other.

It would be entirely at variance with our deliberate opinion, not to do full justice to the Bank of England, as the great centre of circulation and commercial credit.

We believe that much of the prosperity of the country for the last century is to be ascribed to the general wisdom, justice, and fairness of the dealings of the Bank ; and we further think that, during a great part of that time, it may have been, in itself and by itself, fully equal to all the important duties and operations confided to it. But the progress of the country during the last thirty or forty years, in every branch of industry, in agriculture, manufactures, commerce, and navigation, has been so rapid and extensive, as to make it no reflection upon the Bank of England to say, that the instrument, which, by itself, was fully adequate to former transactions, is no longer sufficient without new aids to meet the demands of the present times.

We have, to a considerable de-



gree, the proof of this position, in the very establishment of so many country banks.

Within the memory of many living, and even of some of those now engaged in public affairs, there were no country banks, except in a few of the great commercial towns.

The money transactions of the country were carried on by supplies of coin and Bank notes from London.

The extent of the business of the country, and the improvement made from time to time in the mode of conducting our increased commercial transactions, founded on pecuniary credit, rendered such a system no longer adequate, and country banks must have arisen, as in fact they did arise, from the increased wealth and new wants of the country.

The matter of regret is, not that country banks have been suffered to exist, but that they have been suffered so long to exist without control or limitation, or without the adoption of provisions calculated to counteract the evils resulting from their improvidence or excess.

It would be vain to suppose, that we could now, by any act of the legislature, extinguish the existing country banks, even if it were desirable; but it may be within our power, gradually at least, to establish a sound system of banking throughout the country; and if such a system can be formed, there can be little doubt that it would ultimately extinguish and absorb all that is objectionable and dangerous in the present banking establishments.

There appear to be two modes of attaining this object:

First, That the Bank of England should establish branches of

its own body in different parts of the country.

Secondly, That the Bank of England should give up its exclusive privilege as to the number of partners engaged in banking, except within a certain distance from the metropolis.

It has always appeared to us, that it would have been very desirable that the Bank should have tried the first of these plans—that of establishing branch banks upon a limited scale. But we are not insensible to the difficulties which would have attended such an experiment, and we are quite satisfied that it would be impossible for the Bank, under present circumstances, to carry into execution such a system, to the extent necessary for providing for the wants of the country.

There remains, therefore, only the other plan—the surrender by the Bank of their exclusive privilege, as to the number of partners, beyond a certain distance from the metropolis.

The effect of such a measure would be, the gradual establishment of extensive and respectable banks in different parts of the country; some perhaps with charters from the Crown, under certain qualifications, and some without.

Here we have again the advantage of the experience of Scotland.

In England there are said to be between 800 and 900 country banks; and it is no exaggeration to suppose that a great proportion of them have not been conducted with a due attention to those precautions which are necessary for the safety of all banking establishments, even where their property is most ample. When such banks



stop, their creditors may ultimately be paid the whole of their demands, but the delay and shock to credit may, in the mean time, involve them in the same difficulty, and is always attended with the greatest injury and suffering in the districts where such stoppages occur. If this be the case where the solidity of the bank is unquestionable, what must it be when (as too often happens) they rest on no solid foundation.

In Scotland there are not more than thirty banks; and these banks have stood firm amidst all the convulsions in the money-market in England, and amidst all the distresses to which the manufacturing and agricultural interests in Scotland, as well as in England, have occasionally been subject.

Banks of this description must necessarily be conducted upon the general understood and approved principles of banking.

Individuals are, from the nature of the institutions, precluded from speculating in the manner in which persons engaged in country, and even in London banks, speculate in England.

If the concerns of the country could be carried on without any other bank than the Bank of England, there might be some reason for not interfering with their exclusive privilege; but the effect of the law at present is, to permit every description of banking, except that which is solid and secure.

Let the Bank of England reflect on the dangers to which it has been recently subject, and let its directors and proprietors then say, whether, for their own interests, such an improvement as is suggested in the banking system is not desirable and even necessary.

The Bank of England may perhaps propose, as they did upon a former occasion, the extension of the term of their exclusive privilege, as to the metropolis and its neighbourhood, beyond the year 1833, as the price of this concession.

It would be very much to be regretted that they should require any such condition.

It is clear that in point of security they would gain by the concession proposed to them, inasmuch as their own safety is now necessarily endangered by all such convulsions in the country circulation as we have lately and formerly witnessed.

In point of profit, would they lose any thing by it, for which they are entitled to demand compensation?

It is notorious, that at the present time their notes circulate in no part of England beyond the metropolis and its neighbourhood, except in Lancashire; and perhaps for that district some special provision might be made.

But as it is the interest, so it has been, and ever will be, the endeavour, of the country bankers to keep the Bank of England notes out of circulation in those parts of the kingdom where their own circulation prevails. In this they must always be successful, whilst public credit continues in its ordinary state, and the exchanges not unfavourable to this country. The consequences are, that in such times the Bank of England becomes in a manner the sole depository for gold; and in times of an opposite tendency, the sole resort for obtaining it; that at one period their legitimate profit is curtailed by an accumulation of treasure beyond what would be required by a due



attention to their own private safety as a banking establishment ; and at another period they are exposed to demands which endanger that safety, and baffle all the ordinary calculations of foresight and prudence.

If, then, the Bank of England has no country circulation, except in the county above named, the only question for them to consider is, whether, on the ground of profit, as well as security to themselves, the existing country circulation shall or shall not be improved.

With respect to the extension of the term of their exclusive privileges in the metropolis and its neighbourhood, it is obvious, from what passed before, that parliament will never agree to it.

Such privileges are out of fashion ; and what expectations can the Bank, under present circumstances entertain, that theirs will be renewed ? But there is no reason why the Bank of England should look at this consequence with dismay. They will remain a chartered corporation for carrying on the business of banking. In that character they will, we trust, always continue to be the sole bankers of the state, and with these advantages, so long as they conduct their affairs wisely and prudently, they always must be the great centre of banking and circulation.

Theirs is the only establishment at which the dividend due to the public creditor can by law be paid.

It is to be hoped, therefore, that the Bank will make no difficulty in giving up their exclusive privileges, in respect to the number of partners engaged in banking, as to any district — miles from the metropolis.

Should the Bank be disposed to consent to a measure of this nature in time to enable the government to announce such a concession at the opening of parliament, it would afford great facilities to the arrangement which they may have to propose for ensuring the stability of private credit, in which the support of public credit and the maintenance of public prosperity are so materially and closely involved.

No. II.—At a Court of Directors at the Bank, January 20 :

This Court having taken into consideration the important paper received from the first lord of the Treasury and the chancellor of the Exchequer, have resolved,

That, however essentially they may differ on certain views and sentiments therein laid down and expressed, it is not for the court at the present moment to offer any opinions of their own, the paper appearing to be intended as declaratory of the grounds on which his majesty's ministers have come to the determination to require the Bank to give up its exclusive privilege as to the number of partners engaged in banking, except within a certain distance from the metropolis.

It cannot, however, be considered inconsistent with this forbearance, to state the apprehensions of the court of Directors, that confidence is not so fully restored as lord Liverpool and the chancellor of the Exchequer seem to imagine.

Though the panic has subsided, credit, both public and private, remains in a very uncertain and anxious state.

That the country circulation is in many parts extremely defective, cannot be controverted ; and the Bank would very reluctantly op-



pose itself to any measures tending to ameliorate it, but would be glad to promote that object, either by fresh exertions on their part, should such be found practicable, or by any reasonable sacrifice.

Under the uncertainty in which the court of Directors find themselves with respect to the details of the plans of government, and the effect which they may have on the interests of the Bank, this court cannot feel themselves justified in recommending to their proprietors to give up the privilege which they now enjoy, sanctioned and confirmed as it is by the solemn acts of the legislature.

No. III.—The first lord of the Treasury and the chancellor of the Exchequer have duly considered the answer of the Bank of the 20th instant.

They cannot but regret that the court of Directors should have declined to recommend to the court of Proprietors the consideration of the paper delivered by the first lord of the Treasury and the chancellor of the Exchequer to the governor and deputy governor of the Bank on the 13th instant.

The statement contained in that paper appears to the first lord of the Treasury and chancellor of the Exchequer so full and explicit on all the points to which it relates, that they have nothing further to add, although they would have been, as they still are, ready to answer, as far as possible, any specific questions which might be put, for the purpose of “removing the uncertainty in which the court of Directors state themselves to be with respect to the details of the plan suggested in that paper.”

After all, the simple question for the Bank to consider is, whether they are willing to relinquish their

exclusive privilege as to the number of partners engaged in banking at a certain distance from the metropolis?

The first lord of the Treasury and the chancellor of the Exchequer are satisfied that the profits of the Bank would in no degree be affected by their consenting to such a proposal.

Convinced of this, and that its adoption by the Bank is as important to their own security as to that of the public, it does not appear that the Bank can be equitably entitled to claim any compensation for the surrender of this privilege of their charter.

Against any proposition for such compensation the first lord of the Treasury and chancellor of the Exchequer formally protest; but if the Bank should be of opinion that this concession should be accompanied with other conditions, and that it ought not to be made without them, it is for the Bank to bring forward such conditions.

*Fife-house, Jan. 23.*

No. IV.—At a Court of Directors at the Bank, January 26;

The governor laid before the court the following minute of the committee of Treasury, viz.—

*Committee of Treasury, Jan. 25.*

The Committee of Treasury having taken into consideration the paper received from the first lord of the Treasury and the chancellor of the Exchequer, dated January 23, 1826, and finding that his majesty's ministers persevere in their desire to propose to restrict immediately the exclusive privilege of the Bank, as to the number of partners engaged in banking, to a certain distance from the metropolis, and also continue to be of opinion, that parliament



would not consent to renew the privilege at the expiration of the period of their present charter; finding, also, that the proposal by the Bank, of establishing branch banks, is deemed by his majesty's ministers inadequate to the wants of the country, are of opinion, that it would be desirable for this corporation to propose, as a basis, the act of the 6th Geo. 4th c. 42, which states the conditions on which the Bank of Ireland relinquished its exclusive privilege; this corporation waving the question of a prolongation of time, although the committee cannot agree in the opinion of the first lord of the Treasury and the chancellor of the Exchequer, that they are not making a considerable sacrifice, advertising especially to the Bank of Ireland remaining in possession of that privilege five years longer than the Bank of England.

The act above alluded to contains the following clauses, sections 4 and 18. [See the annexed paper, marked A.]

(A)—“Provided always, and be it further enacted, that nothing in this act contained shall extend, or be construed to extend, to enable or authorize any such society or copartnership, either by any member or members thereof, or by their agent, or any other person on behalf of such society or copartnership, to pay, issue, or re-issue, at Dublin, or within 50 miles thereof, any bill or note of such society or copartnership, which shall be payable to bearer on demand, or any Bank post-bill, nor to draw upon any partner or agent who may be resident in Dublin, or within fifty miles thereof, any bill of exchange which shall be payable on demand, or which shall be for less amount than 50*l.*, nor to bor-

row, owe, or take up, in England, or in Dublin, or within fifty miles thereof, any sum or sums of money, or any promissory note, or bill of any such society or copartnership, payable on demand, or at any less time than six months from the borrowing thereof, or to make or issue any bill or bills of exchange, or promissory note or notes of such society or copartnership, contrary to the provisions of the said recited acts of the 21st and 22nd years of king George the 3rd, or of the 1st and 2nd of his present majesty, save as provided by this act in that behalf.

“And be it further enacted, that execution upon any judgment in any action obtained against any public officer, for the time being, of any such society or copartnership, whether as plaintiff or defendant, may be issued against any member or members, for the time being, of such society or copartnership, and that in case any such execution against any member or members, for the time being, of such society or copartnership, shall be ineffectual for obtaining payment and satisfaction of the amount of such judgment, it shall be lawful for the party or parties so having obtained judgment against such public officer for the time being, to issue execution against any person or persons who was or were a member or members of such society or copartnership, at the time when the contract or contracts, or engagement or engagements, on which such judgment may have been obtained, was or were entered into. Provided always, that no such execution as last mentioned shall be issued without leave first granted on motion in open court, by the court in which such judgment shall have



been obtained, and which motion shall be made on notice to the person or persons sought to be charged; nor after the expiration of three years next after any such person or persons shall have ceased to be a member or members of such society or co-partnership."

Resolved,—That the foregoing recommendation of the committee of Treasury be agreed to; and that the governor and deputy governor be requested to lay it before the first lord of the Treasury and the chancellor of the Exchequer.

No. V.—The first lord of the Treasury and the chancellor of the Exchequer have taken into consideration the paper delivered to them by the governor and deputy governor of the Bank, on the 27th instant.

They think it right to lose no time in expressing their concurrence in the proposition which has been sanctioned by the court of Directors, as to the exclusive privilege of the Bank of England, and are willing to agree that the two clauses inserted in the Irish act last year, and referred to in the paper communicated by the governor and deputy governor on the 27th instant, shall be inserted in the bill, which will be necessary to give effect to the new arrangement.

The first lord of the Treasury and the chancellor of the Exchequer cannot conclude without adverting to that part of the paper of the Bank which respects branches of the Bank of England. In their paper of the 13th of January, the first lord of the Treasury and the chancellor of the Exchequer have stated the reasons why they are of opinion that, under all the present circumstances, the establishment of branches of the Bank of England would not of itself be sufficient to meet all the exigencies of the country; but they are so far from wishing to discourage the establishment of such branches, that they are decidedly of opinion, that the formation of them, under proper regulations, would be highly advantageous both to the Bank and to the community.

*Fife-house, Jan. 28th.*

No. VI.—At a general Court of the Governor and Company of the Bank of England, Friday, February 3rd:

Resolved,—That this Court do consent to the terms proposed to the Bank, in the papers now read, and do request the court of Directors to carry the arrangement into effect.

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#### REPORT *from the* SELECT COMMITTEE *of the* HOUSE OF COMMONS, on PROMISSORY NOTES in SCOTLAND and IRELAND.

As it appears to your committee to be advisable to consider the state of circulation in Scotland, separately from that in Ireland, they will, in the first instance, report the result of the inquiries which they have made with reference to the case of Scotland.

The first notice of banking in Scotland, which occurs in the Statute-book, is an act of king William the 3rd, passed in the year 1695, under which the bank of Scotland was established. By this act an exclusive privilege of banking was conferred upon that bank;



it being provided, "that, for the period of twenty one years from the 17th July, 1695, it should not be lawful for any other persons to set up a distinct company or bank within the kingdom of Scotland, besides those persons in whose favour this act is granted." No renewal of the exclusive privilege took place after the expiration of the twenty-one years.

The bank of Scotland first issued notes of 20s. in the year 1704; but the amount of notes in circulation previously to the Union was very limited.

The bank of Scotland continued the only bank from the date of its establishment in 1695 to the year 1727. In that year a charter of incorporation was granted to certain individuals named therein, for carrying on the business of banking under the name of the royal bank; and subsequent charters were granted to this establishment, enlarging its capital which now amounts to one million and a half.

An act, passed in the year 1765, is the first and most important act of the legislature, which regulates the issue of promissory notes in Scotland.

It appears from its preamble, that a practice had prevailed in Scotland of issuing notes which circulated as specie, and which were made payable to the bearer on demand, or payable at the option of the issuer at the end of six months, with a sum equal to the legal interest from the demand to that time.

The act of 1765 prohibits the issue of notes, in which such an option as that before mentioned is reserved to the issuer. It requires that all notes of the nature of a bank note, and circulating like specie, should be paid on demand;

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and prohibits the issue of any promissory note of a sum less than 20s.

With respect to the issue of promissory notes in England, an act was passed in 1775, prohibiting the issue of any such note under the sum of 20s.; and, in the year 1777, restraints were imposed by law on the issue of notes between the sum of 20s. and five pounds, which were equivalent to the prohibition of such notes circulating as specie.

In the year 1797, when the restriction as to payments in cash was imposed upon the Bank of England, the provisions of the act of 1777, with regard to the issue of notes between 20s. and 5l., were suspended. By an act passed in the third year of his present majesty, the suspension was continued until the 5th of January, 1833, but now stands limited by an act of the present session to the 5th April, 1829.

The general result of the laws regulating the paper currency in the two countries respectively is this:

That, in Scotland, the issue of promissory notes, payable to the bearer on demand, for a sum of not less than 20s., has been at all times permitted by law; nor has any act been passed, limiting the period for which such issue shall continue legal in that country. In England, the issue of promissory notes for a less sum than 5l. was prohibited by law, from the year 1772 to the period of the Bank restriction in 1797. It has been permitted since 1797, and the permission will cease, as the law at present stands, in April, 1829.

Your committee will proceed to give a general view, deduced from the examination of witnesses, and

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from the documents called for by the committee of the laws which regulate the business of banking in Scotland, and of the mode in which it is at present conducted.

The general provisions of the law of Scotland bearing upon this subject are calculated to promote the solidity of banking establishments, by affording to the creditor great facilities for ascertaining the pecuniary circumstances of individual partners, and by making the private fortunes of those partners available for the discharge of the obligations of the Bank with which they are connected.

There is no limitation upon the number of partners of which a banking company in Scotland may consist, and, excepting in the case of the Bank of Scotland and the two chartered Banks, which have very considerable capitals, the partners of all Banking Companies are bound jointly and severally, so that each partner is liable, to the whole extent of his fortune, for the whole debts of the company. A creditor in Scotland is empowered to attach the real and heritable, as well as the personal estate, of his debtor, for payment of personal debts, among which may be classed debts due by bills and promissory notes, and recourse may be had, for the procuring payment, to each description of property at the same time.

Execution is not confined to the real property of a debtor merely during his life, but proceeds with equal effect upon that property after his decease.

The law relating to the establishment of records gives ready means of procuring information with respect to the real and heritable estate of which any person in Scotland may be possessed. No

purchase of an estate in that country is secure until the seisine (that is, the instrument certifying that actual delivery has been given) is put on record, nor is any mortgage effectual until the deed is in like manner recorded.

In the case of conflicting pecuniary claims upon real property, the preference is not regulated by the date of the transaction, but by the date of its record. These records are accessible to all persons, and thus the public can, with ease, ascertain the effective means which a banking company possesses of discharging its obligations; and the partners in that company are enabled to determine, with tolerable accuracy, the degree of risk and responsibility to which the private property of each is exposed.

There are other provisions of the law of Scotland which it is not necessary minutely to detail, the general tendency of which is the same with those above mentioned.

There are at present thirty-two banks in Scotland, three of which are incorporated by Act of Parliament, or by royal charter, viz.

The Bank of Scotland, the Royal Bank of Scotland, and the bank called the British Linen Company. The National Bank of Scotland has 1,238 partners. The Commercial Bank of Scotland has 521. The Aberdeen Town and County Bank has 446. Of the remaining banks there are three in which the number of partners exceeds 100; six in which the number is between 20 and 100; and seventeen in which the number falls short of 20.

The greater part of the Scotch Banks have branches in connection with the principal establishment, each branch managed by an agent acting under the immediate direc-



tions of his employers, and giving security to them for his conduct.

The Bank of Scotland had, at the date of the last return received by your committee, sixteen branches, established at various periods between the years 1774 and the present. The British Linen Company had twenty-seven branches. The Commercial Banking Company in Edinburgh, thirty-one. The total number of branches established in various parts of Scotland, from the southern border to Thurso, the most northerly point at which a branch bank exists, is one hundred and thirty-three.

Speaking generally, the business of a Scotch Bank consists chiefly in the receipt and charge of sums deposited with the bank, on which an interest is allowed, and in the issue of promissory notes upon the discount of bills, and upon advances of money made by the Bank upon what is called a cash credit.

The interest allowed by a bank upon deposits varies from time to time, according to the current rate of interest which money generally bears. At present the interest allowed upon deposits is four per cent.

It has been calculated that the aggregate amount of the sums deposited with the Scotch banks amounts to about twenty or twenty-one millions. The precise accuracy of such an estimate cannot of course be relied on. The witness by whom it was made, thought that the amount of deposits could not be less than sixteen millions, nor exceed twenty-five millions, and took an intermediate sum as the probable amount.

Another witness, who had been connected for many years with different banks in Scotland, and has had experience of their concerns at Stirling, Edinburgh, Perth,

Aberdeen, and Glasgow, stated, that more than one-half of the deposits in the banks with which he had been connected, were in sums from ten pounds to two hundred pounds.

Being asked what class of the community it is that makes the small deposits, he gave the following answer, from which it appears that the mode of conducting this branch of the banking business in Scotland has long given to that country many of the benefits derivable from the establishment of Saving Banks.

Q.—“What class of the community is it that makes the smallest deposits?”

A.—“They are generally the labouring classes in towns like Glasgow. In country places, like Perth and Aberdeen, it is from servants and fishermen, and just that class of the community, who save from their earnings, in mere trifles, small sums, till they come to be a bank deposit. There is now a facility for their placing money in the provident Banks, which receive money till the deposit amounts to ten pounds. When it comes to ten pounds it is equal to the minimum of a bank deposit. The system of banking in Scotland is just an extension of the provident bank system. Half-yearly or yearly those depositors come to the bank and add the savings of their labour, with the interest that has accrued upon the deposits from the previous half year or year, to the principal; and in this way it goes on without being at all reduced, accumulating till the depositor is able either to buy or build a house, when it comes to be one, or two, or three hundred pounds, or till he is able to commence business as a master



in the line in which he has hitherto been a servant. A great part of the depositors of the bank are of that description, and a great part of the most thriving of our farmers and manufacturers have arisen from such beginnings."

On sums advanced by the banks on the discount of bills of exchange, and upon cash credits, an interest of five per cent is at present charged.

A cash credit is an undertaking on the part of the Bank to advance to an individual such sums of money as he may from time to time require, not exceeding, in the whole, a certain definite amount, the individual to whom the credit is given entering into a bond with securities, generally two in number, for the repayment on demand of the sums actually advanced, with interest upon each issue from the day on which it is made.

Cash credits are rarely given for sums below one hundred pounds; they generally range from two to five hundred pounds, sometimes reaching one thousand pounds, and occasionally a larger sum.

The Bank allows the party having the cash credit to liquidate any portion of his debt to the Bank, at any time that may suit his convenience, and reserves to itself the power of cancelling, whenever it shall think fit, the credit granted.

With the view of ascertaining the total amount of the paper currency of Scotland at different periods, and of estimating the variations in its amount, a letter was addressed by the chairman of the committee to each bank in Scotland, requesting information as to the amount of notes issued below and above five pounds, and outstanding at certain given periods.

The banks were informed that this communication would be considered by the chairman as one entirely of a confidential nature; that he would make no disclosure of the amount of the issues of any single bank; but collect from the returns the general result, and present that result to the committee.

An answer has been received to this communication from all the banks in Scotland, with one exception. Some of the banks that have made returns have not been able to distinguish the notes under and above five pounds; where that distinction has not been made, the proportions have been estimated by a computation framed upon the proportions that appear in the returns of those banks which were enabled to distinguish their notes below five pounds from those above that sum, and the result is stated in red ink.

Three of the banks from which returns have been received have omitted to state the amount of their present circulation. That circulation has been taken, in the subjoined general estimate, on an average between the highest and the lowest amount of the aggregate circulation of those banks respectively during 1825.

Subject to the foregoing explanation, the following is the general account deduced from the return made by each bank, of the paper circulation of Scotland at the different periods referred to in that account:—

An ACCOUNT of the Amount of Bankers' Notes circulating in Scotland, showing the Highest and Lowest Amount in the Years 1815; 1821, 1823, 1824, and 1825; and also of the Amount in Circulation at the latest Period in 1826 to which



the Account can be made up: distinguishing the amount of Notes under 5*l.* from those of 5*l.* and upwards.

1815. — Highest amount—5*l.* and upwards, 1,365,998*l.*; under 5*l.* 2,185,498*l.*; total, 3,551,496*l.* Lowest amount—5*l.* and upwards, 908,306*l.*; under 5*l.* 1,868,324*l.*; total, 2,776,630*l.*

1821. — Highest amount—5*l.* and upwards, 1,309,535*l.*; under 5*l.* 1,935,224*l.*; total, 3,244,759*l.* Lowest amount—5*l.* and upwards, 963,143*l.*; under 5*l.* 1,597,302*l.*; total, 2,560,445*l.*

1823. — Highest amount—5*l.* and upwards, 1,396,390*l.*; under 5*l.* 2,065,622*l.*; total, 3,462,012*l.* Lowest amount—5*l.* and upwards, 1,006,605*l.*; under 5*l.* 1,706,631*l.*; total, 2,713,236*l.*

1824. — Highest amount—5*l.* and upwards, 1,701,196*l.*; under 5*l.* 2,296,492*l.*; total, 3,997,688*l.* Lowest amount—5*l.* and upwards, 1,095,190*l.*; under 5*l.* 1,764,825*l.*; total, 2,860,015*l.*

1825. — Highest amount—5*l.* and upwards, 1,946,721*l.*; under 5*l.* 2,736,491*l.*; total, 4,683,312*l.* Lowest amount—5*l.* and upwards, 1,323,451*l.*; under 5*l.* 2,110,648*l.*; total, 3,434,099*l.*

Amount of notes at present in circulation. — Amount of banks which have made the return—5*l.* and upwards, 1,125,743*l.*; under 5*l.* 1,903,252*l.*; total, 3,028,995*l.* Three of the banks who have made returns have omitted to state the amount of their present circulation. The amount of their aggregate circulation during 1825 was, at the highest, 311,646*l.*, at the lowest, 248,441*l.*; the average of these two sums is therefore taken as the probable amount of their present circulation — 5*l.* and upwards, 104,095*l.*; under 5*l.* 175,992*l.*;

total, 280,087*l.* Probable amount at present in circulation—5*l.* and upwards, 1,229,838*l.*; under 5*l.* 2,079,244*l.*; total, 3,309,082*l.*

Two of the banking companies in Scotland have made no return whatever.

It will be seen from the above return, that the present amount of the paper currency of Scotland, being in fact (with the exception of silver) nearly the whole currency of that country, is computed to be 3,309,000*l.*, of which 2,079,000*l.* are in notes below 5*l.*

It has been calculated by Dr. Adam Smith, that the amount of gold and silver coin current in Scotland before the Union, and then constituting nearly the whole circulation of the country, was about one million sterling. He observes that the amount of silver coin brought into the Bank of Scotland for the purpose of being recoined immediately after the Union, was four hundred and eleven thousand pounds sterling; and that it appears from the ancient records of the Mint in Scotland that the value of the gold annually coined somewhat exceeded the annual coinage of the silver. He calculates, therefore, the total amount of gold and silver in circulation about the year 1707, at one million.

The same authority, speaking of the year 1775, estimates the whole circulation of Scotland at that time to be about two millions—"of which," he observes, "that part which consists in gold and silver most probably does not amount to half a million."

Your committee trust that they have not improperly outstepped the limits of their duty, in submitting to the House this brief review of



the laws by which the business of banking in Scotland is regulated, and of the mode in which it is at present conducted; it is a subject not adverted to in the reports of previous committees, and it appeared therefore to your committee, that it might be convenient to prefix a general account of the banking establishments and currency of Scotland to their observations on that important question, which was the more immediate object of the reference made to your committee.

They consider that question in substance to be, whether Scotland shall be permitted to retain the privilege which she has hitherto had, of maintaining a paper circulation for sums between twenty shillings and five pounds; or whether she shall be required at some period, to be now ascertained by law, to provide, in the same manner in which England has been called upon to provide, a metallic currency?

Although the promissory notes issued in Scotland are convertible into gold at the will of the holder, yet it appears to your committee to be proved by experience, that the permission to issue notes of an amount sufficiently low to perform the office of coin will practically exclude that coin from circulation, notwithstanding that such notes may be payable at the will of the holder: and it must be assumed, that under the operation of the law now applicable to the two countries respectively, England, will, after the year 1829, have a metallic circulation for the payment of all sums below five pounds, and Scotland a circulation of paper alone, for all payments of not less than twenty shillings.

Whether this state of things can be allowed to exist, consistently,

with equal justice to the inhabitants of the two countries—whether the stability of the present system of paper currency in Scotland can be ensured, if coin be not in circulation as its basis—whether that system can co-exist with a metallic currency in England, without deranging the currency of this country, are the important considerations which must be maturely weighed before a final decision can be satisfactorily pronounced.

The presumption, on general principles, appears to your committee to be in favour of an extension to other parts of the United Kingdom of the rule which it has been determined to apply to England. Provision would thus be made for equally apportioning among all parts of the empire that charge which is inseparable in the first instance from the substitution of a metallic in the room of a paper currency. The wider the field over which a metallic circulation is spread, the greater will be the security against its disturbance from the operation of internal or external causes, and the lighter on any particular part will be the pressure incidental to a sudden contraction of currency. The business of banking, and probably of all other commercial transactions connected with it, would be conducted on a more equal footing, in respect to profit, under a system of currency common to all parts of the empire, than under one which should confine to particular portions of it the privilege of issuing a certain description of paper. In proportion as the offence of coining shall be found to be more difficult of execution, and to be less frequently committed than the offence of forgery, in that degree, upon



moral considerations, will a metallic circulation be preferable to one of paper.

These appear to your committee to be the principal reasons in favour of extending to Scotland a system of currency which the legislature has resolved to re-establish in England, reasons which seem decisive in favour of such an extension, unless they can be counterbalanced by the proof of some peculiar circumstances in the condition of Scotland, justifying a special exception in her behalf, and by a strong presumption that such an exception can be admitted without prejudice to the interests of other parts of the empire.

The main object of the witnesses from Scotland, who were examined before your committee, has been to prove the claim of Scotland to this exception. Their opinion, with very slight shades of difference, is decidedly adverse to any change in the laws which have so long regulated the issue of promissory notes in that country. In estimating, however, the weight due to their opinions as authority, it ought to be borne in mind that a great part of the witnesses from Scotland were gentlemen immediately connected with some of the banks in that country, subject, therefore, to the prepossessions which naturally spring from a long connexion with existing establishments, and from a warm interest in the continuance of their prosperity.

It is not improbable that, had the time permitted it, your committee would have extended still further their inquiries; and they deem it on that account the more incumbent upon them to state the general nature of the testimony upon which they have come to their present conclusions.

The witnesses examined by your committee, with reference to the state of the circulation in Scotland, were seven gentlemen standing in various relations to some of the banks in Scotland:—

Mr. Kirkman Finlay, a merchant at Glasgow; Mr. Gibson Craig, a writer to the signet in Edinburgh; Mr. Hadden, a manufacturer in Aberdeen; Lieut.-col. Campbell, factor to the duke of Argyle; Mr. Gladstone, a member of the house; Mr. Moss, a banker of Liverpool; and Mr. Birkbeck, a banker in the West-Riding of Yorkshire; were examined as to the manner of conducting the business of banking and commercial transactions connected with it, in Lancashire. Mr. Gladstone was also enabled to give evidence upon some points relating to the circulation and commerce of Scotland.

Three of the directors of the Bank of England gave their evidence, chiefly as to the bearing which a paper circulation in Scotland might have upon the interests of the Bank of England, after the re-establishment of a metallic currency in this country.

The grounds relied upon by the witnesses from Scotland to prove that it is neither necessary nor expedient to alter the laws which permit the issue of small notes in that country, appear to be the following —

That these laws, so far as they relate to notes between the sum of 20s. and 5l. payable on demand, have remained unaltered since the first institution of banking in Scotland.

That, coincident with the present system of currency, if not immediately owing to its effects, there has been a great and pro-



gressive increase in the manufactures, the agriculture, the commerce, the population, and the general wealth of the country:

That during the civil commotions of the last century, in the rebellions of 1715 and 1745, the confidence in paper securities in Scotland was not shaken; and that the Scotch banks maintained their stability, and were not called upon for any extraordinary issue of gold in exchange for their notes, during the shocks to which mercantile credit was exposed in this country in the years 1793, 1797, and more recently in 1825. That it cannot be assumed, therefore, that a circulation of specie is necessary in Scotland for the purpose of guarding against the effects of sudden panic.

That while Scotland had a paper currency for the discharge of all sums above 20s., England had at least, for twenty years previously to the Bank restriction, a currency consisting of the precious metals, to the exclusion by law of notes below five pounds. That these different systems co-existed, and that no proof can be adduced that the paper circulation of Scotland displaced or interfered, in any material degree, with the metallic currency of England.

That from the date of the first establishment of a bank in Scotland to the present time, the instances of the actual failure of a Scotch bank have been extremely rare, and that there have been only two instances in which the creditors did not ultimately receive the whole amount of the principal and interest of their debt.

Lastly, that the inducement to the Scotch banks to continue their branch banks in many remote parts of the country in which they now

exist, would be destroyed; and that the whole system of deposits and cash credits would be most materially affected, if the banks were compelled to forego the profit now derived from the issue of notes below five pounds.

For the opinions in detail of the witnesses from Scotland, on these and other points connected with the small-note circulation in that country, your committee must refer to the evidence annexed to this report. So far as the interests of the Bank of England are concerned, it will be seen that the directors of that bank, who were examined before your committee, urge no objection to the continuance of the present system in Scotland, provided that the paper circulation of Scotland, can be effectually restrained within the limits of that country.

Upon a review of the evidence tendered to your committee, and, forming their judgment upon that evidence, your committee cannot advise that a law should now be passed, prohibiting, from a period to be therein determined, the future issue in Scotland of notes below five pounds.

There are, in the opinion of your committee, sufficient grounds in the experience of the past, for permitting another trial to be made of the compatibility of a paper circulation in Scotland with a circulation of specie in this country.

Looking at the amount of notes current in Scotland below the value of five pounds, and comparing it with the total amount of the paper currency of that country, it is very difficult to foresee the consequences of a law which should prohibit the future issue of notes constituting so large a proportion of the whole circulation.



Your committee are certainly not convinced that it would affect the cash credits to the extent apprehended by some of the witnesses ; but they are unwilling, without stronger proof of necessity, to incur the risk of deranging, from any cause whatever, a system admirably calculated, in their opinion, to economize the use of capital, to excite and cherish a spirit of useful enterprize, and even to promote the moral habits of the people, by the direct inducements which it holds out to the maintenance of a character for industry, integrity, and prudence.

At the same time that your committee recommend that the system of currency which has for so long a period prevailed in Scotland, should not, under existing circumstances, be disturbed, they feel it to be their duty to add, that they have formed their judgment upon a reference to the past, and upon the review of a state of things which may be hereafter materially varied by the increasing wealth and commerce of Scotland, by the rapid extension of her commercial intercourse with England, and by the new circumstances that may affect that intercourse after the re-establishment of a metallic currency in this country.

Apart from these general considerations, bearing upon the conclusion at which they have arrived, there are two circumstances to which your committee must more particularly advert.

It is evident, that, if the small notes issued in Scotland should be current beyond the border, they would have the effect, in proportion as their circulation should extend itself, of displacing the specie, and even in some degree the local currency of England. Such an

interference with the system established for England, would be a manifest and gross injustice to the bankers of this part of the empire. If it should take place, and if it should be found impossible to frame a law consistent with sound and just principles of legislation, effectually restricting the circulation of Scotch notes within the limits of Scotland, there will be, in the opinion of your committee, no alternative, but the extension to Scotland of the principle which the legislature has determined to apply to this country.

The other circumstance to which your committee meant to refer, as bearing materially upon their present decision, will arise in the event of a considerable increase in the crime of forgery.

Your committee called for returns of the number of prosecutions and convictions for forgery, and the offence of passing forged notes during the last twenty years in Scotland, which returns will be found in the Appendix.

There appear to have been, during that period, no prosecutions for the crime of forgery ; to have been eighty-six prosecutions for the offence of issuing forged promissory notes, fifty-two convictions ; and eight instances in which the capital sentence of the law has been carried into effect.

It ought not to escape observation, that out of the total number of prosecutions for issuing forged notes in the last twenty years, thirty-eight have been instituted in the years 1823, 1824, and 1825 ; a fact which seems to warrant the apprehension that the crime of forgery is upon the increase in Scotland. It ought, however, to be observed, that the return does not specify whether



the forged notes, for the issue of which prosecutions have taken place, were in all instances notes of the Bank of Scotland. It is possible, therefore, that some of the prosecutions may have been directed against forgeries committed on the Bank of England, or on banks other than the banks of Scotland.

Your committee will here close their observations with respect to the circulation of Scotland. They are well aware of the great advantage that would result from being enabled, in a matter of this nature, to express a clear and decisive opinion, unembarrassed by any qualification or reserve; but they consider it to be their duty, in a complicated question that involves many important considerations, and upon which the decision must be subject to future contingencies, to present the whole of those considerations fairly to the House, and to qualify their present conclusions by a reference to possible circumstances, by the occurrence of which they might be materially affected.

#### IRELAND.

With respect to the circulation of Ireland, the inquiries of your committee have been less extensive than those which they have instituted with respect to Scotland.

The first law in Ireland which restrained the negotiation of promissory notes, was an act passed in the Irish parliament in the year 1799.

The preamble recites, that various notes, bills of exchange, and drafts for money, have been for some time past circulated in lieu of cash, to the great prejudice of trade and public credit; and that many of such notes are made pay-

able under certain terms with which the poorer classes of manufacturers and others cannot comply, unless by submitting to great extortion and abuse. It adds, that the issue of such notes has very much tended to increase the pernicious crime of forgery: and the act proceeds to apply to notes between the value of five pounds and twenty shillings, similar restrictions to those which had been applied to such notes issued in England, by the act which passed in the year 1777. It permits, however, during the suspension of cash payments by the Bank of Ireland, the issue of bank post bills, bills of exchange, and drafts, under certain regulations, for any sums not less than three guineas. This act did not extend to the Bank of Ireland.

In 1805, this and some other acts, which had passed in the interim, relating to the issue of small notes, were repealed, and notes under 20s. which had been previously permitted under certain regulations by the act of 1799, were declared void.

There is at present, no law in force imposing any limitation to the period, for which notes for a sum not less than twenty shillings may be issued in Ireland.

A tolerably correct estimate of the amount of promissory notes above and below five pounds, circulating in Ireland, may be formed from the subjoined returns made by the Bank of Ireland, and by other banks at present established in that country.

#### *Bank of Ireland Notes.*

1. An Account of the average amount of the Bank of Ireland notes of five pounds, and upwards (including bank post



bills), for the years 1820, 1821, 1822, 1823, 1824, and 1825.

Notes and post bills of 5*l.* and upwards 3,646,660*l.* 19*s.* 6*d.* Irish currency.

2. An account of the average amount of the Bank of Ireland notes, under the value of five pounds (including bank post bills), for the years 1820, 1821, 1822, 1823, 1824, and 1825.

Notes and post bills under the value of 5*l.* 1,643,828*l.* 0*s.* 5*d.* Irish currency.

An ACCOUNT of the Amount of Bankers' Notes circulating in Ireland, exclusive of those of the Bank of Ireland, showing the Highest and Lowest Amount in the Years 1815, 1821, 1823, 1824, and 1825; and also of the Amount in circulation at the latest period in 1826, to which the Account can be made up; distinguishing the amount of Notes under 5*l.* from those of 5*l.* and upwards:—

1815. — Highest amount—5*l.* and upwards, 44,652*l.*; under 5*l.*, 298,530*l.*; total, 343,182*l.* Lowest amount — 5*l.* and upwards, 33,182*l.*; under 5*l.*, 198,433*l.*; total, 231,615*l.*

1821. — Highest amount—5*l.* and upwards, 58,749*l.*; under 5*l.*, 874,763*l.*; total, 933,512*l.* Lowest amount — 5*l.* and upwards, 45,494*l.*; under 5*l.*, 582,196*l.*; total, 627,690*l.*

1823. — Highest amount—5*l.* and upwards, 56,396*l.*; under 5*l.*, 1,023,201*l.*; total, 1,079,597*l.* Lowest amount—5*l.* and upwards, 44,910*l.*; under 5*l.*, 688,410*l.*; total, 733,320*l.*

1824. — Highest amount—5*l.* and upwards, 75,247*l.*; under 5*l.*, 1,110,170*l.*; total, 1,185,417*l.* Lowest amount—5*l.* and upwards, 57,035*l.*; under 5*l.*, 718,084*l.*; total, 775,119*l.*

1825. — Highest amount—5*l.* and upwards, 106,605*l.*; under 5*l.*, 1,359,054*l.*; total, 1,465,659*l.* Lowest amount—5*l.* and upwards, 65,987*l.*; under 5*l.*, 854,126*l.*; total, 920,113*l.*

1826.—Amount at present in circulation—5*l.* and upwards, 74,653*l.*; under 5*l.*, 663,960*l.*; total, 738,618*l.*

The amounts stated in this account are made up from all the returns that have been yet received from bankers in Ireland, nine in number, of which six only issue notes.

The amount of each description of notes in circulation, by four of these banks, is calculated according to the proportions which are stated by each bank to be usually in circulation; two banks only giving the exact amount of each description of notes.

It will appear from the evidence, that a practice prevails in Ireland of issuing notes for the payment of sums between one and two pounds for three guineas, and other fractional sums.

Your committee see no public advantage arising out of this practice, and they are of opinion that it ought to be discontinued, as it tends to dispense with the necessity of silver coin, and practically to exclude it from circulation.

Your committee hesitate, in the present imperfect state of their information, to pronounce a decisive opinion upon the general measures which it may be fitting to adopt with respect to the paper currency of Ireland.

Although they are inclined to think that it would not be advisable to take any immediate step for the purpose of preventing the issue of small notes in Ireland, their impression undoubtedly is, that a metallic currency ought,



ultimately, to be the basis of the circulation in that country.

It will, probably, be deemed advisable to fix a definitive, though not an early period, at which the circulation in Ireland of all notes below five pounds shall cease ; and it is deserving of consideration, whether measures might not be adopted in the interim, for the purpose of ensuring such a final result, by gradual, though cautious, advances towards it.

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#### LORDS' REPORT ON THE SAME SUBJECT.

That the committee have proceeded to the consideration of the subject referred to them by the House, and have collected from the examination of witnesses, and of the accounts laid before them, the information which will be found in the minutes of evidence, and in the Appendix.

They do not think it necessary to enter into a detailed analysis of this mass of information, because the result of it would not lead, in their opinion, to the proposal to parliament, during the present session, of any measure affecting the circulating medium either of Scotland or of Ireland.

They entertain no doubt that, upon general principles, it would be desirable that the same system of currency should prevail throughout Great Britain and Ireland. At the same time they are fully sensible, that to such an uniformity of system there may be obstacles which may render the attempt to establish it at any particular period, if not impracticable, yet liable to inconveniences which might more than counterbalance the ultimate advantage to be derived from it.

With respect to Scotland, to

which the committee wish, in the first place, to call the attention of the House, it is to be remarked, that during the period from 1766 to 1797, when no small notes were by law issuable in England, the portion of the currency of Scotland, in which payments under 5*l.* were made, continued to consist almost entirely of notes of 1*l.* and 1*l.* 1*s.*, and that no inconvenience is known to have resulted from this difference in the currency of the two countries. This circumstance, amongst others, tends to prove that uniformity, however desirable, is not indispensably necessary. It is also proved, by the evidence, and by the documents, that the banks of Scotland, whether chartered or joint-stock companies, or private establishments, have, for more than a century, exhibited a stability which the committee believe to be unexampled in the history of banking ; that they supported themselves, from 1797 to 1812, without any protection from the restriction by which the Bank of England and that of Ireland were relieved from cash payments ; that there was little demand for gold during the late embarrassments in the circulation ; and that, in the whole period of their establishment, there are not more than two or three instances of bankruptcy. As, during the whole of this period, a large portion of their issue consisted almost entirely of notes not exceeding 1*l.* or 1*l.* 1*s.*, there is the strongest reason for concluding that, as far as respects the banks of Scotland, the issue of paper of that description has been found compatible with the highest degree of solidity ; and that there is not, therefore, while they are conducted upon their present system, sufficient grounds for proposing any alteration, with the



view of adding to a solidity which has so long been sufficiently established.

This solidity appears to derive a great support from the constant exchange of notes between the different banks, by which they become checks upon each other, and by which any over-issue is subject to immediate observation and correction.

There is also one part of their system, which is stated by all the witnesses (and in the opinion of the committee, very justly stated) to have had the best effects upon the people of Scotland, and particularly upon the middling and poorer classes of society, in producing and encouraging habits of frugality and industry. The practice referred to, is that of cash credits. Any person who applies to a bank for a cash credit is called upon to produce two or more competent securities, who are jointly bound, and after a full inquiry into the character of the applicant, the nature of his business, and the sufficiency of his securities, he is allowed to open a credit, and to draw upon the Bank for the whole of its amount, or for such part as his daily transactions may require. To the credit of this account he pays in such sums as he may not have occasion to use; and interest is charged or credited upon the daily balance, as the case may be. From the facility which these cash credits give to all the small transactions of the country, and from the opportunities which they afford to persons, who begin business with little or no capital but their character, to employ profitably the minutest products of their industry, it cannot be doubted that the most important advantages are derived to the whole community.

The advantage to the banks who give these cash credits arises from the call which they continually produce for the issue of their paper, and from the opportunity which they afford for the profitable employment of part of their deposits. The banks are indeed so sensible, that, in order to make this part of their business advantageous and secure it is necessary that their cash credits should (as they express it) be frequently operated upon, that they refuse to continue them unless this implied condition be fulfilled. The total amount of their cash credits is stated by one witness to be five millions, of which the average amount advanced by the banks may be one-third.

The manner in which the practice of deposits on receipt is conducted, tends to produce the same desirable results. Sums to as low an amount as 10*l.* (and, in some instances, lower) are taken by the banks from the depositor, who may claim them on demand. He receives an interest, usually about one per cent below the market rate. It is stated that these deposits are, to a great extent, left uncalled for from year to year, and that the depositors are in the habit of adding, at the end of each year, to the interest then accrued, the amount of their yearly savings; that the sums thus gradually accumulated belong chiefly to the labouring and industrious classes of the community, and that when such accounts are closed, it is generally for the purpose of enabling the depositors either to purchase a house or to engage in business.

It is contended by all the persons engaged in banking in Scotland, that the issue of one-pound notes is essential to the continuance both



of their cash credits, and of the branch banks established in the poorest and most remote districts. Whether the discontinuance of one-pound notes would necessarily operate to the full extent which they apprehend, in either of these respects, may perhaps admit of doubt; but the apprehensions entertained on this head, by the persons most immediately concerned, might, for a time at least, have nearly the same effect as the actual necessity, and there is strong reason to believe that, if the prohibition of one-pound notes should not ultimately overturn the whole system, it must for a considerable time materially affect it.

The directors of the Bank of England, who have been examined before the committee, have given it as their opinion, that a circulation of notes of one pound in Scotland or in Ireland, would not produce any effects injurious to the metallic circulation of England, provided such notes be respectively confined within the boundary of their own country.

Notwithstanding the opinions which have been here detailed, the committee are, on the whole, so deeply impressed with the importance of a metallic circulation below 5*l.* in England, not only for the benefit of England, but likewise for that of all the other parts of the empire, that if they were reduced to make an option between the establishment of such a metallic circulation in Scotland, or the abandonment of it in England, they would recommend the prohibition of small notes in Scotland. But they entertain a reasonable expectation that legislative measures may be devised, which will be effectual in preventing the introduction of Scotch paper into

England; and unless such measures should in practice prove ineffectual, or unless some new circumstances should arise to derange the operations of the existing system in Scotland itself, or materially to affect the relations of trade and intercourse between Scotland and England, they are not disposed to recommend that the existing system of banking and currency in Scotland should be disturbed.

With respect to Ireland, the situation of that country, as to its circulation, and as to its system of banking, is materially different from that of Scotland. In Scotland there are three banks, of which the proprietors are protected by act of parliament or charter from personal responsibility beyond the amount of their respective shares; and there are many other banks, consisting of a large and unlimited number of partners, personally responsible to the whole extent of their property, of which the aggregate amount is very considerable. There are also branches or agencies of most of the banks very widely established throughout the country.

In Ireland, the only Bank possessing the advantage of a limitation of personal responsibility is the Bank of Ireland, which, till a late alteration in the law, was the only establishment which was permitted to have more than six partners. — The circulating medium consists, indeed, in both countries, to a great extent, of notes under five pounds; but the system of banking in Ireland, instead of remaining unshaken for a long period, as that of Scotland, has experienced so many shocks, that its banking establishments are now nearly confined to the chartered Bank of Ireland and its local agencies, the



branches of the provincial bank which is established in London, one joint-stock company in Dublin and another at Belfast, the latter of which has local agencies, and a few private banks in Dublin and Belfast. The issue of notes under 5*l.* has been at different periods permitted and prohibited in Ireland; there is, therefore, no prescription to plead for their continuance, and there is no experience of any such system as that of cash credits in Scotland, which is stated to rest mainly upon their issue. There is not at present in Ireland the same check upon over-issues, which is derived in Scotland from the continual exchanges of notes between the different banks; and the failures of private banks have frequently spread the greatest distress over large portions of the country. Previously to the Bank Restriction act, there appears, by the evidence taken before the committee of the House of Commons in 1804, to have existed in Ireland a considerable metallic circulation, of the existence of which in Scotland the committee are not informed.

Many of the reasons, therefore, upon which the committee have grounded their opinion against any present provision for a future alteration in the currency of Scotland, do not apply to Ireland, and the introduction of a larger proportion of metallic currency into the latter country appears liable to less difficulty than the application of the same principle to the former. There is, however, a considerable difference in the opinions of the witnesses, whom the committee have hitherto had the opportunity of examining. While all agree in the necessity of allowing the issue of paper below 5*l.*

on account of the small value of the articles which compose the daily transactions of the country, there are some who think that the inconvenience to be apprehended from any change in the present circulation would be only temporary, and would be materially mitigated by allowing the issue of notes of 2*l.* or 3*l.* There are others who state that any alteration by which the issue of one-pound notes should be prohibited, would cause the cessation, or at least the contraction to a most inconvenient degree, of the accommodation now afforded to the country; that it would involve the discontinuance of many of the branches both of the Bank of Ireland and of the provincial bank; and that it would put an end to the prospect of establishing the Scotch system of cash credits, into which system the provincial bank was beginning to enter.

The committee cannot but admit it to be doubtful, whether, under the peculiar circumstances of Ireland, the Scotch system is capable of being transferred in all its parts, and with all its advantages to that country; but they abstain from recommending, at the present moment, the adoption of any measure for assimilating by slow gradations the circulating medium of Ireland to that which will become, at an earlier period, the circulating medium of England, only under the expectation that further information and more experience, as to the effects and operation of the changes which have lately taken place in the banking system of Ireland, may lead to the information of a decided opinion upon grounds more completely satisfactory than those upon which they could at present rest it.



*ORDER of COUNCIL permitting the IMPORTATION of GRAIN.*

At the Court at Windsor, the 1st of September, 1826, present the King's Most Excellent Majesty in Council.

Whereas, by the laws now in force for regulating the importation of corn—oats and oatmeal may be imported into the united kingdom, and into the Isle of Man, for home consumption, under and subject to the regulations of the several statutes in that case made and provided, whenever the average price of oats (to be ascertained in the manner therein prescribed) shall be at or above the price of twenty-seven shillings per quarter, and peas may in like manner be imported, whenever the price shall be at or above fifty-three shillings per quarter; and whereas by a certain act of parliament, made and passed in the third year of his present majesty's reign, intituled, "An act to amend the laws relating to the importation of corn," it is enacted, that whenever foreign corn, meal, or flour, shall be admissible under the provisions of an act, passed in the fifty-fifth year of the reign of his late majesty king George 3rd, intituled, "An act to amend the law now in force for regulating the importation of corn," or under the provisions of the said act, passed in the third year of the reign of his present majesty, there shall be levied and paid certain duties therein specified upon all such foreign corn, meal, or flour, when admitted for home consumption: and whereas by the weekly returns of purchases and sales of corn, made by the several inspectors of corn returns in the cities and towns of England and

Wales, to the receiver of corn returns, it appears that the average price of oats, and also the average price of peas, at the present time, exceed the before-mentioned prices of twenty-seven shillings and fifty-three shillings per quarter: and whereas, from information which hath this day been laid before his majesty, it appears that the price of oats, as well as that of peas, is still rising, and that the crop of oats, and also the crops of peas and beans, of the present year, have failed to a considerable extent, and that a deficiency of the crop of potatoes is also apprehended in some parts of the United Kingdom: and whereas, if the importation, for home consumption, of oats and oatmeal, and of rye, peas, and beans, be not immediately permitted, there is great cause to fear that much distress may ensue to all classes of his majesty's subjects: And whereas, under the acts aforesaid, no foreign grain of the above description, whatever may be the respective average prices of the same, can be admitted to entry for home consumption till after the fifteenth day of November in the present year, when the next quarterly average by which the admission of such grain is regulated will be made up, according to the provisions of the said acts: His majesty, with the advice of his privy council, doth order, and it is hereby accordingly ordered, that foreign oats and oatmeal, rye, peas, and beans, whether warehoused or otherwise, shall and may, from the date hereof, be permitted to be entered in the ports of the United Kingdom, and of the Isle of Man, for home con-



sumption,<sup>2</sup> provided the parties making entry of any such foreign oats, oatmeal, rye, peas, or beans, do give bond, with sufficient sureties, to the satisfaction of the commissioners of his majesty's Customs, for the payment of any duties not exceeding in amount the duties hereinafter mentioned, in case parliament shall authorise the levy and receipt thereof, that is to say: oats, per quarter, 2s.; oatmeal, per boll, 2s. 2d.; rye, peas, and beans, per quarter, 3s. 6d. And his majesty, by and with the advice aforesaid, doth hereby further order, and it is

accordingly ordered, that such permission to enter oats and oatmeal, rye, peas, and beans for home consumption, on the conditions aforesaid, shall continue in force from the date hereof, until the expiration of forty days, to be reckoned from the day of the next meeting of parliament, unless the parliament shall, previously to the expiration of the said forty days, make provision to the contrary:

And the right hon. the lords commissioners of his majesty's Treasury are to give the necessary directions herein accordingly.

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LETTER of INSTRUCTIONS to the PROTECTOR of SLAVES at  
DEMERARA.

*“Downing-street, April 12.*

“Sir, — Previously to your taking possession of the very arduous and important situation to which you have been appointed as protector of slaves, it is necessary that I should convey to you some special instructions for the regulation of your conduct in the exercise of its various duties.

“It will be your particular duty as protector of slaves, to watch over the faithful execution of all such provisions or regulations with respect to the treatment of slaves as are at present in force in Demerara, or as may at any future time be established there by any lawful authority.

“You will, if necessary, apply to the local government for any facilities which may give you a more complete opportunity of receiving and considering complaints which may be preferred by the slaves against their owners, or any other persons exercising a dele-

gated authority over them; and you will not fail to make a report to the lieutenant-governor, which will be transmitted to me, on the subject of any practical impediments which may be found in the execution of any part of your duty.

“You will not deem it necessary in all cases to wait to receive complaints from the slaves themselves; but if you shall hear of any unwarrantable treatment to which any slave, or any gang of slaves are exposed, you will repair to the estate, and there institute a diligent inquiry into the conduct of those persons who may be responsible on the occasion.

“You will not, however, forget, in the execution of your office, that it is also your duty to secure all the legal rights of the proprietor as well as of the slave, as far as they are involved in any transaction with you as protector.

“You must exercise a constant discretion in impressing upon the



minds of the slaves in the most forcible manner, that the measures which have been provided for their protection are in no degree to interfere with the unremitting practice of industry and obedience, to which, under prescribed regulations, their owners are by law entitled; but, on the contrary, that those duties are the more strictly to be observed by them in proportion as the law and regulation interpose to prevent any improper exercise of the authority of the master.

“You must explain to them, that although they may always expect to find in you a vigilant friend and protector in all cases where such protection can be properly required, they will at the

same time find you entirely determined to discountenance any frivolous and unfounded complaints which may be preferred by them against their masters.

“You will not fail to make it your early and peculiar study to fix on the minds of the slaves, by such arguments and explanations as are suited to their state of information and comprehension, the principles which are contained in this letter, and which pervade all that course of legislation which his majesty’s government have established and recommended in pursuance of the resolutions of both Houses of parliament. I have, &c. (Signed) BATHURST.”  
*“Lieutenant-Colonel Young,  
 Protector of Slaves.”*

## II.—FOREIGN.

CONVENTION of COMMERCE *between his MAJESTY and the MOST CHRISTIAN KING, together with two Additional Articles thereunto annexed, signed at London, January 26, 1826.*

In the Name of the Most Holy Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, on the one part, and his Majesty the King of France and Navarre, on the other part, being equally animated by the desire of facilitating the commercial intercourse between their respective subjects; and being persuaded that nothing can more contribute to the fulfilment of their mutual wishes in this respect, than to simplify and equalize the regulations which are now in force relative to the navigation of both kingdoms, by the reciprocal abrogation of all discriminating duties levied upon the vessels of either of the two nations

in the ports of the other, whether under the heads of duties of tonnage, harbour, light-house, pilotage, and others of the same description, or in the shape of increased duties upon goods on account of their being imported or exported in other than national vessels;—have named as their plenipotentiaries, to conclude a convention for this purpose, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the right hon. George Canning, &c. and the right hon. William Huskisson, &c. — And his Majesty the King of France, and Navarre, the prince Jules, count de Polignac, &c.—



Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following articles:—

Art. I.—From and after the 5th of April of the present year, French vessels coming from, or departing for, the ports of France, or, if in ballast, coming from, or departing for, any place, shall not be subject in the ports of the United Kingdom, either on entering into or departing from the same, to any higher duties of tonnage, harbour, light-house, pilotage, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, than those to which British vessels, in respect of the same voyages, are or may be subject on entering into or departing from such ports; and, reciprocally, from and after the same period, British vessels coming from or departing from the ports of the United Kingdom, or, if in ballast, coming from, or departing for, any place, shall not be subject, in the ports of France, either on entering into, or departing from the same, to any higher duties of tonnage, harbour, light-house, pilotage, quarantine, or other similar or corresponding duties, of whatever nature, or under whatever denomination, than those to which French vessels, in respect of the same voyages, are or may be subject, on entering into or departing from such ports; whether such duties are collected separately, or are consolidated in one and the same duty, his most Christian majesty reserving to himself to regulate the amount of such duty or duties in France, according to the rate at which they are or may be established in the United Kingdom;

at the same time, with the view of diminishing the burthens imposed upon the navigation of the two countries, his most Christian majesty will always be disposed to reduce the amount of the said burthens in France, in proportion to any reduction which may hereafter be made of those now levied in the ports of the United Kingdom.

II.—Goods, wares, and merchandize, which can or may be legally imported into the ports of the United Kingdom from the ports of France, if so imported in French vessels, shall be subject to no higher duties than if imported in British vessels, and, reciprocally, goods, wares, and merchandize, which can or may be legally imported into the ports of France, from the ports of the United Kingdom, if so imported in British vessels, shall be subject to no higher duties than if imported in French vessels. The produce of Asia, Africa, and America, not being allowed to be imported from the said countries, nor from any other, in French vessels, nor from France in French, British, or any other vessels, into the ports of the United Kingdom, for home consumption, but only for warehousing and re-exportation. His most Christian majesty reserves to himself to direct that, in like manner, the produce of Asia, Africa, and America, shall not be imported from the said countries, nor from any other, in British vessels, nor from the United Kingdom in British, French, or any other vessels, into the ports of France, for the consumption of that kingdom, but only for warehousing and re-exportation.

With regard to the productions of the countries of Europe, it is



understood between the high contracting parties, that such productions shall not be imported in British ships, into France, for the consumption of that kingdom, unless such ships shall have been laden therewith in some port of the United Kingdom; and that his Britannic majesty may adopt, if he shall think fit, corresponding restrictive measures, with regard to the productions of the countries of Europe, imported into the ports of the United Kingdom in French vessels: the high contracting parties reserving, however, to themselves the power of making, by mutual consent, such relaxations in the strict execution of the present article, as they may think useful to the respective interests of the two countries, upon the principle of mutual concessions, affording each to the other reciprocal or equivalent advantages.

III.—All goods, wares, and merchandize, which can or may be legally exported from the ports of either of the two countries, shall, on their export, pay the same duties of exportation, whether the exportation of such goods, wares, and merchandize, be made in British or in French vessels, provided the said vessels proceed, respectively, direct from the ports of the one country to those of the other. And all the said goods, wares, and merchandize, so exported in British or French vessels, shall be reciprocally entitled to the same bounties, drawbacks, and other allowances of the same nature, which are granted by the regulations of each country respectively.

IV.—It is mutually agreed between the high contracting parties, that in the intercourse of navigation between their two countries, the vessels of any third power

shall, in no case, obtain more favourable conditions than those stipulated in the present convention, in favour of British and French vessels.

V.—The fishing-boats of either of the two countries which may be forced by stress of weather to seek shelter in the ports, or on the coast of the other country, shall not be subject to any duties, or port duties, of any description whatsoever; provided the said boats, when so driven in by stress of weather, shall not discharge or receive on board any cargo, or portion of cargo, in the ports, or on the parts of the coast where they shall have sought shelter.

VI.—It is agreed that the provisions of the present convention between the high contracting parties shall be reciprocally extended, and in force, in all the possessions subject to their respective dominion in Europe.

VII.—The present convention shall be in force for the term of ten years, from the 5th of April of the present year; and further, until the end of twelve months after either of the high contracting parties shall have given notice to the other of its intention to terminate its operation: each of the high contracting parties reserving to itself the right of giving such notice to the other, at the end of the said term of ten years; and it is agreed between them, that, at the end of the twelve months' extension agreed to on both sides, this convention, and all the stipulations thereof, shall altogether cease and determine.

VIII.—The present convention shall be ratified, and the ratifications shall be exchanged in London, within the space of one month, or sooner, if possible.



In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 26th day of January, in the year of our Lord 1826.

(L. S.) GEORGE CANNING.

(L. S.) WILLIAM HUSKISSON.

*Additional Articles.*

Art. I.—From and after the first of October of the present year, French vessels shall be allowed to sail from any port whatever of the countries under the dominion of his most Christian majesty, to all the colonies of the United Kingdom (except those possessed by the East India Company), and to import into the said colonies all kinds of merchandize (being productions the growth or manufacture of France, or of any country under the dominion of France), with the exception of such as are prohibited to be imported into the said colonies, or are permitted to be imported only from countries under the British dominion; and the said French vessels, as well as the merchandize imported in the same, shall not be subject, in the colonies of the United Kingdom, to other or higher duties than those to which British vessels may be subject, on importing the same merchandize from any foreign country, or which are imposed upon the merchandize itself.

The same facilities shall be granted, reciprocally, in the colonies of France, with regard to the importation, in British vessels, of all kinds of merchandize (being productions the growth and manufacture of the United Kingdom, or of any country under the British dominion), with the exception of such as are prohibited to be im-

ported into the said colonies, or are permitted to be imported only from countries under the dominion of France. And whereas all goods, the produce of any foreign country, may now be imported into the colonies of the United Kingdom, in the ships of that country, with the exception of a limited list of specified articles, which can only be imported into the said colonies in British ships, his majesty the king of the United Kingdom reserves to himself the power of adding to the said list of excepted articles any other, the produce of the French dominions, the addition whereof may appear to his majesty to be necessary for placing the commerce and navigation to be permitted to the subjects of each of the high contracting parties with the colonies of the other, upon a footing of high reciprocity.

II.—From and after the same period, French vessels shall be allowed to export, from all the colonies of the United Kingdom (except those possessed by the East India Company), all kinds of merchandize which are not prohibited to be exported from such colonies in vessels other than those of Great Britain; and the said vessels, as well as the merchandize exported in the same, shall not be subject to other or higher duties than those to which British vessels may be subject on exporting the said merchandize, or which are imposed upon the merchandize itself; and they shall be entitled to the same bounties, drawbacks, and other allowances of the same nature, to which British vessels would be entitled on such exportation.

The same facilities and privileges shall be granted, reciprocally, in all the colonies of France, for the exportation, in British vessels, of



all kinds of merchandize, which are not prohibited to be exported from such colonies in vessels other than those of France.

These two additional Articles shall have the same force and validity as if they were inserted, word for word, in the convention signed this day. They shall be ratified, and the ratification shall be exchanged at the same time.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 26th day of January, in the year of our Lord 1826.

(L. S.) GEORGE CANNING.

(L. S.) WILLIAM HUSKISSON.

(L. S.) Le Prince de POLIGNAC.

CONVENTION of COMMERCE and NAVIGATION between his MAJESTY and the KING of SWEDEN and NORWAY, together with an Additional Article thereunto annexed.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Sweden and Norway, having, by declarations exchanged on the 24th day of April, and 16th day of July, 1824, entered into stipulations for removing impediments affecting the navigation and trade of their respective states; and their said majesties being mutually desirous of still further extending and improving the relations of friendship and commerce now happily subsisting between them and their respective subjects, and of placing the arrangements already agreed upon by the declarations aforesaid, upon a more sure and satisfactory footing, have appointed their plenipotentiaries to conclude a convention for these purposes, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the right hon. George Canning, a member of his said majesty's most honourable Privy Council, a member of Parliament, and his said majesty's Principal Secretary of State for Foreign Affairs; and the right hon. Wil-

liam Huskisson, a member of his said majesty's most honourable Privy Council, a member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of his said majesty's Navy:—

And his Majesty the King of Sweden and Norway, the Sieur Gustavus Algernon, baron de Stier-neld, his first gentleman of the Chamber, Under Chancellor of his Orders, Commander of the Order of the Polar Star, Knight of the Order of St. Anne of Russia of the Second Class, and of the Order of the Red Eagle of Prussia of the Third Class; and his said majesty's Envoy Extraordinary and Minister Plenipotentiary at the court of his Britannic majesty:—

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following articles:—

I.—The several stipulations contained in the declarations exchanged between the plenipotentiaries of his majesty the King of the United



Kingdom of Great Britain and Ireland, and his majesty the King of Sweden and Norway, on the 24th day of April and 16th day of July, 1824, shall continue in force between the high contracting parties, respectively, for the term of the present convention, and shall be equally binding upon the said parties, their officers, and subjects, except as far as the same may be hereinafter varied, as if the same had been inserted, word for word, in this convention.

II.—British vessels, entering or departing from the ports of the kingdom of Sweden and Norway, and Swedish and Norwegian vessels entering or departing from the ports of the United Kingdom of Great Britain and Ireland, shall not be subject to any other or higher ship duties or charges than are, or shall be, levied on national vessels entering or departing from such ports, respectively.

III.—All goods, wares, and merchandize, whether the productions of the kingdom of Sweden and Norway; or of any other country, which may be legally imported from any of the ports of the said kingdom into the United Kingdom of Great Britain and Ireland, in British vessels, shall, in like manner, be permitted to be so imported directly in Swedish or Norwegian vessels; and all goods, wares, and merchandize, whether the production of any of the dominions of his Britannic majesty, or of any other country, which may be legally exported from the ports of the United Kingdom in British vessels, shall, in like manner, be permitted to be exported from the said ports in Swedish or Norwegian vessels. An exact reciprocity shall be observed in the ports of Sweden and

Norway, so that all goods, wares, and merchandize, whether the production of the United Kingdom, or of any other country, which may be legally imported from the ports of the United Kingdom into the ports of Sweden and Norway, in Swedish or Norwegian vessels, shall, in like manner, be permitted to be so imported from the ports of the United Kingdom in British vessels; and all goods, wares, and merchandize, whether the production of any of the dominions of his Swedish majesty, or of any other country, which may be legally exported from the ports of Sweden or Norway in Swedish or Norwegian vessels, shall, in like manner, be permitted to be exported from the said ports in British vessels.

IV.—All goods, wares, and merchandize, which can legally be imported into the ports of either country directly from the other, shall, upon such importation, be admitted at the same rate of duty, whether imported in vessels of the one or the other country; and all goods, wares, or merchandize, which can be legally exported from the ports of either country, shall, upon such exportation be liable to the same duties, and be entitled to the same bounties, drawbacks, and allowances, whether exported in vessels of the one or of the other country.

V.—No priority or preference shall be given, directly or indirectly, by the government of either country, or by any company, corporation, or agent, acting in its behalf or under its authority, in the purchase of any article of the growth, produce, or manufacture of either country, imported into the other, on account of, or in reference to, the character of the vessel in which such article was imported; it being



the true intent and meaning of the high contracting parties, that no distinction or difference whatever shall be made in this respect.

VI.—From and after the date of the present convention, British ships shall be allowed to proceed direct from any port of his Britannic majesty's dominions to any colony of his majesty the king of Sweden and Norway not in Europe, and to import into such colony any goods the growth, produce, or manufacture of the United Kingdom, or of any of the British dominions not being such goods as are prohibited to be imported into such colony, or as are admitted only from the dominions of his majesty the king of Sweden and Norway; and such British ships, and such goods so imported in them, shall be liable, in such colony of his majesty the king of Sweden and Norway, to no higher or other charges than would be there payable on Swedish or Norwegian ships importing the like sort of goods, the growth, produce, or manufacture, of any foreign country, allowed to be imported into the said colony in Swedish or Norwegian ships. And from and after the same date, Swedish and Norwegian vessels shall be allowed to proceed direct from any ports of the dominions of his majesty the king of Sweden and Norway, to any colony of the United Kingdom of Great Britain and Ireland (other than those in the possession of the East India Company), and to import into such colony any goods, the growth, produce, or manufactures of the kingdoms of Sweden and Norway, or of any of their dominions, not being such goods as are prohibited to be imported into such colony, or as are admitted only from the dominions of his Britannic majesty;

and such Swedish or Norwegian vessels, and such goods so imported in them, shall be liable, in such colony of the United Kingdom of Great Britain and Ireland (other than those in the possession of the East India Company), to no other or higher charges than would be there payable on British vessels importing the like sorts of goods, or payable on the like goods, the growth, produce or manufacture of any foreign country, allowed to be imported into the said colony in British ships.

VII.—From and after the date of the present convention, British ships shall be allowed to export from any colony of his majesty the king of Sweden and Norway not in Europe, any goods not prohibited to be exported from such colony; and such British ships, and such goods so exported in them, shall be liable, in such colony, to no other or higher charges than would be payable by, and shall be entitled to, the same drawbacks as would be there allowable on Swedish or Norwegian ships exporting such goods. And the like liberty and privileges of exportation shall be reciprocally granted in the British colonies (other than those in the possession of the East India Company), to Swedish and Norwegian ships, and to goods exported in them.

VIII.—In respect to the commerce to be carried on in vessels of Sweden or Norway with the British dominions in the East Indies, or now held by the East India Company in virtue of their charter, his Britannic majesty consents to grant the same facilities and privileges, in all respects, to the subject of his Swedish majesty, as are or may be enjoyed under any treaty or acts of parliament, by the sub-



jects or citizens of the most favoured nation ; subject to the laws, rules, regulations and restrictions, which are or may be applicable to the ships and subjects of any other foreign country enjoying the like facilities and privileges of trading with the said dominions.

IX.—The high contracting parties engage that all articles the growth, produce, or manufacture of their respective dominions, shall be subject to no higher duties, upon their admission from the one country into the other, than are paid by the like articles, the growth, produce, or manufacture, of any other foreign country ; and that no prohibition or restraint shall be imposed upon the importation into the one country from the other, or upon the exportation from the one country to the other, of any such articles, the growth, produce, or manufactures of either of the said states, which shall not equally extend to all other nations ; and, generally, that in all matters and regulations of trade and navigation, each of the high contracting parties will treat the other upon the footing of the most favoured nation.

X.—In consideration of the advantages and facilities which the navigation and commerce of the United Kingdoms of Sweden and Norway will enjoy, under the present convention, and the act of parliament of the 5th of July, 1825, his majesty the King of Sweden and Norway consents that, from and after this date, vessels of the United Kingdom of Great Britain and Ireland shall be allowed to import into Sweden any merchandise or goods of European origin, which are likewise permitted to be imported into Sweden from any port whatever, with the exception of the following arti-

cles:—Salt, hemp, flax, oil of all kinds, grain of all kinds, wine, tobacco, salt or dried fish, wool, and stuffs of all kinds ; which, as before, shall be imported into Sweden only in vessels of Sweden and Norway, or in vessels of the countries of which such articles are the produce.

The said excepted articles shall, however, be allowed to be imported into Sweden in vessels of the United Kingdom of Great Britain and Ireland, proceeding direct from some port of the United Kingdom, provided such articles shall have been previously landed and warehoused in a port of the United Kingdom, after having been imported thither from the country of their origin.

These stipulations in favour of British commerce shall remain in force during the continuance of the present convention, and as far as the act of parliament of the 5th of July, 1825, shall continue to grant to the navigation and commerce of Sweden equivalent facilities of the same nature.

XI.—His majesty the King of the United Kingdom of Great Britain and Ireland, and his majesty the King of Sweden and Norway, mutually agree, that no higher or other duties shall be levied, in any of their dominions, upon any personal property of their respective subjects, on the removal of the same from the dominions of their said majesties, reciprocally, either upon the inheritance of such property, or otherwise, than are or shall be payable in each state upon the like property, when removed by a subject of such state respectively.

XII.—The present convention shall be in force for the term of ten years from the date hereof ; and further until the end of twelve



months, after either of the high contracting parties shall have given notice to the other of its intention to terminate the same; each of the high contracting parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years; and it is thereby agreed between them, that, at the expiration of twelve months after such notice shall have been received by either party from the other, this convention, and all the provisions thereof, shall altogether cease and determine.

XIII.—The present convention shall be ratified, and the ratifications shall be exchanged at London, within six weeks from the date hereof, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 18th day of March, in the year of our Lord 1826.

(L. S.) GEORGE CANNING.

(L. S.) WILLIAM HUSKISSON.

#### *Additional Article.*

As it may sometimes happen that a Swedish or Norwegian ves-

sel trading to the possessions held by the British East India Company in the East Indies, under the 8th article of the convention of this date, may find it expedient to dispose of the whole or part of her cargo, on her homeward-bound voyage, in other ports than those of Sweden and Norway, it is hereby agreed, that any such vessel may proceed with such cargo to any foreign place or port whatsoever, not being within the limits of the East India Company's charter, and excepting the United Kingdom of Great Britain and Ireland, and its dependencies.

The present additional article shall have the same force and validity as if it were inserted word for word in the convention signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 18th day of March, in the year of our Lord 1826.

(L. S.) GEORGE CANNING.

(L. S.) WILLIAM HUSKISSON.

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#### *The ACT of ABDICATION of the THRONE of PORTUGAL by the EMPEROR of BRAZIL in Favour of his Daughter.*

Don Pedro, by the grace of God, king of Portugal and the Algarves beyond sea in Africa, lord of Guinea, of the Conquest, Navigation, and Commerce of Ethiopia, Arabia, Persia, and India, &c. &c., do make known to all my Portuguese subjects that it being incompatible with the interests of the empire of Brazil, and with those of the kingdom of Portugal, that I

should continue to be king of Portugal and the Algarves, and their dominions, and desiring, by all the means in my power, to render those states happy, I think fit, of my own accord, and by my own will, to abdicate and cede all the indisputable and incontestable rights which I have to the crown of the Portuguese monarchy, and to the sovereignty of those kingdoms, to



my beloved, esteemed, and dear daughter, the princess of Grand Para, Donna Maria da Gloria, in order that as reigning queen she may govern them independently of this empire, and by the constitution which I thought fit to decree, grant, and cause to be sworn to, by my *Carta de Lei*, of the 23rd April, of this year; and I am farther pleased to declare, that my said daughter, the reigning queen of Portugal, shall not leave the empire of Brazil, till I am officially informed that the oath shall have been taken to the constitution, conformably to what I have ordered, and before the ceremony of betrothing, preparatory to the union which I intend she shall contract with my most beloved and esteemed brother, the Infant Don Miguel, shall have taken place, and till the marriage has been concluded. And my abdication and cession shall not be carried into effect if either of these two conditions is not performed. For these reasons, I order

all the authorities who have a right to be made acquainted with my present *Carta de Lei* to cause it to be published, in order that my present determination may be known to my Portuguese subjects. I order the regency of my said kingdom to have it printed and published in the most authentic manner, that its contents may be actively executed; and it shall have the same force as an ordinance passed in chancery, though it be not so, on account of a contrary ordinance that it shall not be passed there, from which I have thought fit, for this purpose, to deviate, though it remains in vigour, notwithstanding the want of the countersign, and other usual formalities, with which I am also pleased to dispense.

Given at the palace at Rio de Janeiro, the 2nd of May, the year of our Lord one thousand eight hundred and twenty-six.

(Signed) THE KING.

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SPEECH of the INFANTA REGENT, at the Opening of the Sessions of the PORTUGUESE CORTES, Oct. 30.

The Session of the Cortes was opened on the 30th of October, at the palace of Ajuda.

A deputation of twelve peers, and twelve deputies, having been nominated by the president to receive the Infanta Regent, her royal highness took her seat on a chair which had been prepared for the purpose, before the throne, when she pronounced the following discourse:—

“Worthy Peers of the Kingdom, and Gentlemen Deputies of the Portuguese nation:

“In beholding you assembled on this memorable day around the

throne of my august brother and king, Senor Don Pedro the Fourth, I rejoice with you and with the whole nation, that it hath pleased Divine Providence, in a manner so authentic and so solemn, to consolidate these wise institutions, which, at different periods, have constituted the happiness of many nations, and which will speedily lead to the prosperity of our dear country. You are well aware, that the country which is now denominated Portugal has never recognized, even in the most remote ages, any other government than that of a representative monarchy; but the prelates and the grandees



of the kingdom formed the representative body ; the people had no voice and no share in its institutions, which were almost feudal. It was the kings of Portugal, that, some time after the origin of the monarchy, conceded to the third estate, those rights and that dignity which barbarous ages had denied them. Portugal then flourished, for the first time, under the protection of a purely representative government. There existed, however, no laws to give stability to institutions adopted by usage, and handed down by tradition ; they fell, in consequence, into desuetude, and the Cortes were forgotten by the nation which they once represented. It has been reserved for our days to revive them by wise and stable rules. Such was the design contemplated by the royal mind of my august father, whose memory will be ever dear to Portugal—such is the design which, to his immortal honour, my august brother has consummated, by conferring upon this nation the boon of the constitutional charter. We are called to the highest destinies, to work out the happiness of our country. Such a prospect should conduct us on our way with hope, and smooth the ruggedness of a journey, of which honour and glory are the noble termination. The opinion of the vast number of individuals who compose a nation, can never be expected to be uniform respecting the principles upon which the art of governing states is founded, nor upon the choice of the means for securing their happiness. This presses most strongly upon our observation at a time when successive political revolutions are taking place in the nation ; yet the Portuguese people, from their naturally quiet and

moderate disposition, and from the strong affection which they bear to their lawful kings, can never cherish long such differences of opinion, much less push them to fatal results. There have arisen amongst us, it is true, some perverse and traitorous individuals, who are neither true to their ancient valour and loyalty, nor to themselves ; yet with difficulty have they succeeded in drawing away from the path of honour and duty, a few of their weak and imprudent countrymen, by the diffusion of misrepresentations the most gross, and the practice of impositions the most criminal. Happily, the number, whether of the seduced or of the seducers receives no increase ; the great majority of the Portuguese nation remain firm in their fidelity to their country and their king. I can augur nothing but what is favourable, from the dispositions shewn by foreign nations towards us, and time, I am assured, will confirm this augury. United by the faith of treaties, and by the most undoubted proofs of friendship to one of the great European powers, and at peace with all the rest, I calculate upon the decided support of the first, and upon the kindness and fraternal reciprocity of the others. All of them will speedily learn from experience, that the representative government of Portugal is truly just and moderate, and that it seeks not to carry disquiet into any other state on account of diversity of institutions, but limits its intentions to the energetic and steady defence of its own. Already have facts more forcibly than words, shewn the prudence and good faith of this government. These have, in a great measure, diminished the apprehensions of a neighbouring na-



tion. The government of that nation are now convinced, that difference of political institutions ought not to diminish that friendship and mutual confidence which the solemnity of treaties, the ties of blood, and vicinity of territory, have so long consolidated. But one circumstance was wanting to confirm our hopes of future felicity, it is wanting no longer. A very few hours ago, I received from Vienna, intelligence, that my dearly beloved and much esteemed brother had taken the oath to the constitutional charter, without condition or qualification, on the fourth of this present month; and that, immediately after that act, he had addressed his holiness for the purpose of obtaining the necessary dispensation for solemnizing his marriage with my august niece and sovereign Queen Donna Maria the Second. Our legislative enactments will eminently concur to the maintenance of public tranquillity, and in giving stability to the political system established by the Charter. They will establish, on the solid basis of justice, the civil and criminal codes of the empire; they will give regularity to our municipal bodies, and to our provincial tribunals; and add, at the same time, a new impulse to commerce and agriculture, the sources of our national prosperity. In mentioning commerce, I cannot refrain from communicating to you the very flattering hopes I entertain of seeing its activity doubled, both in Portugal and Brazil. The treaties concluded between that empire and some of the powers of Europe, give additional strength to this hope, and we have a still more assured pledge of it in the well known affection of the emperor of Brazil, towards the country which

gave him birth, and where his august ancestors reigned. Your attention will doubtless be directed with very particular care, to education and the public instruction of the community, which contribute so efficaciously in purifying the morals of the people, which times of trouble have corrupted. Nor will the re-establishment of education bottomed upon the principles of the holy religion which we profess, and which we shall ever defend, less contribute to the stability of the monarchy, and to the production of that perfect harmony in which all the members of this great family ought to dwell.

“Worthy Peers of the realm! in your capacity of legislators, you are called upon to take part in those important labours; but you are also called to exercise the high functions of the magistracy. By the wisdom, firmness, and patriotism, which shall distinguish your efforts, you will serve as an example to those who may succeed to your hereditary dignities. It is with you, gentlemen, deputies of the Portuguese nation, that all measures with respect to the recruiting the army, and the taxes (two subjects which may most efficaciously concur in consolidating our public happiness, as well as our independence and safety, upon which that happiness absolutely depends) will of right originate. The establishment of our public credit, also demands your most serious attention. The ministers of State will furnish you with all the explanations which the charter requires from them. Finally, from all of you conjoined, worthy peers of the realm, and gentlemen deputies of the Portuguese nation, I expect, and the whole nation hopes, the accomplishment of our



brilliant destinies. To you the throne looks for its firmest support; and you have placed before you, as the great recompense of the interesting labours which you are about to enter upon, the delightful satisfaction of being able, one day, to say to your countrymen — ‘We found Portugal weak and languishing; we leave her vigorous and flourishing.’”

The Princess Regent, in terms of the 107th article of the charter,

then nominated the councillors of state for life in the following order:—The Cardinal Patriarch of Lisbon, vice-president of the Chamber of Peers; the duke de Cadaval, president of the Chamber; Pedro de Mello Breyner, minister of Justice; Ignatius Da Costa Quintella, minister of Marine; and major-general Frederic de Caula.

The members of the Ancient Council of State are to retain their honorary title.”

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*NOTE presented by the MARQUIS DE PALMELLA to MR. CANNING.*

The undersigned Ambassador Extraordinary and Plenipotentiary from his Most Faithful Majesty, cannot, after the news which has just arrived, of the invasion of the Portuguese territory, with force of arms, by a corps of troops assembled and organized in Spain, delay a moment in addressing to his excellency Mr. Canning, his Britannic majesty’s principal secretary of state for the Department of Foreign Affairs, a formal demand, in the name of her highness the Infanta Regent of Portugal, for the support and aid of British troops, in virtue of the treaties of alliance and guarantee which have existed in full force between the two crowns, without interruption, for more than a century and a half.

It is in pursuance of the express orders of his government, that the undersigned claims the fulfilment of the stipulations of the said treaties; and that he has now the honour to repeat in writing, the representations he has already officially made in several conferences with Mr. Canning.

The defensive alliance between Portugal and Great Britain is so directly founded on the permanent interests, political as well as com-

mercial, of both countries, and on their geographical position, that it might be regarded as virtually existing, though it had not been consecrated, as it in fact is, by diplomatic acts, and become, as it were, habitual to both nations. This alliance is coeval (to say nothing of more ancient relations) with the establishment of the royal House of Braganza on the throne of Portugal, and afterwards with that of the House of Bourbon on the throne of Spain;—those two great events having concurred to induce the Portuguese, on the one hand, to regard England as their natural ally, and the English on the other, to consider the independence of Portugal one of the essential conditions of the political balance of Europe. In fine, those ties, formed by mutual relations of compatibility, have too often been cemented on the field of battle to render it necessary to refer to facts, of which some are not only recent but gloriously memorable.

The undersigned, however, does not confine himself to a mere appeal to the general spirit of the numerous treaties existing between the two crowns. He annexes to this note textual copies of some of



the articles of the treaties of 1661, 1703, 1810, and 1815 — articles which leave no kind of doubt as to the positive obligations which have been contracted. The undersigned, in the mean time, begs that Mr. Canning will be pleased to allow him to make a rapid analysis of those articles, in doing which he is persuaded it will be easy for him to demonstrate to his excellency that, according to the spirit and the letter of the said treaties, the *casus fœderis* has actually occurred.

Articles 15, 16, and 17, and the secret article of the treaty of 1661, expressly stipulate that his Britannic majesty will always place the interests of Portugal near his heart, and will defend that kingdom and the possessions thereof, with all his power by sea and land, in the same manner as he would England. That, whenever Portugal should be invaded, and the king of Portugal should demand aid from his ally, his Britannic majesty would send, free of expense, forces for the defence of Portugal; and finally, that his Britannic majesty would defend the conquests and the colonies of the crown of Portugal against all enemies present and future.

In vain would it be alleged that this treaty had only a special object, and that it ceased to be in force after the peace concluded by Portugal with Spain in 1668; for, 1st, it does not stipulate for a fixed period, but in perpetuity; 2ndly, by the first article of 1703 between Portugal and Great Britain, all the preceding treaties are expressly approved, confirmed, and ratified, which, without doubt, comprehend the treaty of 1661; 3rdly, the guarantee and promise of assistance to Portugal is given, as is distinctly stated in the above

mentioned articles, in consideration of important cessions of territory made by Portugal to England — that is to say, for value received, which England, in a great degree, still possesses.

Articles 2nd and 3rd of the treaty of alliance concluded in 1703, between the king of Portugal on the one part, and England and the States-General of the United Provinces on the other, specify in a very precise manner the succours which shall be afforded, if it should ever happen that the king of France, or the king of Spain, present or future, together or separately, should make war on Portugal. This treaty is perpetual, and any objection which might be advanced on the ground of its comprehending the States-general conjointly with his Britannic majesty would not be valid —

1. Because, according to the doctrines of the law of nations, the defection of one of two associated parties does not annul the obligations contracted by the other.

2. Because the relations between the United Provinces and Portugal have ceased in consequence of posterior wars, and, in particular, on account of their not being renewed since the latter state has undergone a change of form; but it is not the same with regard to the relations of Portugal with England, which have not for a single moment experienced any interruption.

3. Above all, because the said treaty, like every other between the crowns of Portugal and Great Britain, has been revived and confirmed by subsequent treaties; and it will be sufficient to add, that in the treaty of alliance of 1810, one of the stipulations of the treaty of 1703 is referred to as existing. [See article 8.]



The act of guarantee of the treaty of Utrecht, between Portugal and Spain, formally declares that his Britannic majesty engages, on his royal word, to take care that the said treaty shall be inviolably observed.

Finally, the treaty of Vienna, of 1815, between his most faithful majesty and his Britannic majesty, declares (article 3) that all the treaties of alliance, friendship, and guarantee, anterior to that of 1810, are renewed by the two high contracting parties, and that they recognise the existence of those treaties in full force and vigour.

It seems useless to add other stipulations and other arguments to prove the existence of the obligations of defensive alliance and guarantee contracted between the two crowns. The undersigned, therefore, proceeds to fulfil the second task which he has imposed on himself—namely, to submit to the consideration of the cabinet of his Britannic majesty the present state of things in Portugal.

The British government has adopted the principle (and his excellency Mr. Canning publicly announced it on a recent occasion) never to interfere in the civil discords of other countries. This principle might be found to be in contradiction with some stipulations of the ancient treaties cited above; but, avoiding for the present any discussion of this question, the undersigned is confident he can clearly demonstrate that Spain is now committing hostile acts against Portugal, and that those acts are sufficiently flagrant to constitute a real aggression. He will besides assert, that even if it should be wished to overlook those provocations, and to carry, as the Portuguese government does (from

the desire of peace, and from respect to the wishes of all the other powers) forbearance as far as it can be carried, there would still be no reasonable ground why his Britannic majesty should not send, by way of precaution, and for the sake of preventing war, a body of auxiliary troops to Portugal; for, in fact, if war does not now exist, it cannot be dissembled that the chances of its breaking out are at least but too probable. But his Britannic majesty will doubtless recognise that there are just bounds to the tolerance of aggressions and insults, and that the existence of the state and national honour require that those limits should not be overstepped. Now, by what right could any other power of Europe blame, still less oppose, the temporary stationing of a corps of British troops in Portugal, for the avowed purpose of maintaining peace? Moreover, it is evident that such aid, being stipulated by anterior treaties, does not (according to the principles of international law) place England in a state of war with the enemies of Portugal, even though her troops should be compelled to co-operate in defence of the latter kingdom. More than one proof of this assertion will be found in the modern history of Europe, and more particularly in what respects the states which formerly constituted the Germanic empire, which were regarded as individually at peace, notwithstanding that they furnished their contingents to the army of the empire.

There are innumerable proofs of the animosity entertained by the Spanish government towards that of Portugal, and of hostile acts committed by Spanish authorities, either with the sanction of



their government, or of their own accord. The undersigned will confine himself to the recapitulation of the following:—

1. The court of Spain at this moment still refuses to recognize explicitly his majesty the king of Portugal as the successor of his august father, and her royal highness the Infanta Donna Isabella Maria, as Regent of the kingdom.

2. The Portuguese refugees and deserters are cordially received in Spain, where they have been permitted to remain embodied, to retain their arms, and publicly to swear fidelity to another prince; and, at last, consent has been given to their returning sword in hand into Portugal.

3. None of the promises made by the cabinet of Madrid to redress the above grievances have yet been performed.

4. The governor and the other authorities of the town of Ayamonte have maintained an official correspondence with the Portuguese rebels of Algarve.

5. Spanish soldiers have entered the Portuguese territory, and have committed acts of aggression within it; and among others, the spoliation of the property of an English subject.

6. Portuguese vessels peaceably navigating the river Minho, which divides the two countries, have been fired on from the Spanish side.

All these facts are proved by authentic documents, which have been communicated to the ambassador of his Britannic majesty at Lisbon; and the undersigned confines himself to annexing to the present note, extracts of two despatches which he has received from his excellency the minister for Foreign Affairs to his most faith-

ful majesty, which, in a few words, give an idea of the present state of our relations with Spain.

Such are the provocations which Portugal has received from the Spanish government: and what are the reproaches which that government can, on its part, make against the Portuguese nation? Can it be the having recognized as its legitimate sovereign, in accordance with the wishes of all Europe, the eldest son of its late king? Can it be the having received with gratitude the charter freely granted by that sovereign, and which, in fact, only contains the restoration of the ancient rights and privileges of the nation? Is it, in fine, the peacefully endeavouring to reform its internal administration, and observing with scrupulous good faith all the attentions which are due to the government of a neighbouring state, abstaining from employing against it arms similar to those which it employs?

The reality of this contrast is unquestionable, and the facts speak for themselves. All Europe cannot fail to recognize its truth, and the British government owes it to the good faith of treaties, to the love of peace, to its own honour, and to the interests which the fate of Portugal cannot fail to excite in England, to take prompt and decisive measures for placing her ally beyond the danger of external attacks, and for terminating a state of things which would, if not prevented by interposition, necessarily lead to a violent crisis.

The undersigned will now only add a few reflections on the principle adopted by England of non-interference in the domestic dissensions of other states. This principle (if it is to be observed



literally, and war is not to be considered as existing with Spain until a Spanish army shall have actually entered the Portuguese territory), would guide the enemies of Portugal in the course which they would desire to follow; for, from it they would learn that they might with impunity invite our soldiers to desert, sow corruption amongst them, maintain them embodied in military corps on the frontiers, and, in fine, commit all kinds of hostilities, provided such hostilities were not avowed; and Portugal would thus be placed between an enemy who permits himself to resort to the most perfidious means to injure her, and an ally who interdicts himself from assisting her.

Besides, in the case in question, it cannot even be admitted that there exists in Portugal a real division of interests and opinions.

The Portuguese nation, represented by the two Chambers, in which are assembled the clergy and nobility, acts in accordance with the sovereign, and pursues with moderation the path traced out for it by the free and spontaneous will of the king. The parties which agitate the country, directed by certain men who may be regarded as the disgrace of the nation, have dared to proclaim the name of a

young prince, who, being himself called one day to the legitimate participation of the throne, has, in the mean while, by oaths and solemn acts, given the most satisfactory guarantee of his fidelity and devoted obedience to the orders of his august brother, and thus contradicts the unworthy abuse which is made of his name.

Still, whatever may be the opinion and wish manifested by the majority of the Portuguese nation, it is not impossible to imagine a case in which foreign intrigue, by employing the terrible means of seduction, might succeed, through the defection of the army, in bringing about a total revolution in Portugal.

The undersigned will conclude this note as he commenced it, by claiming, in the name of her royal highness the Infanta Regent, the support and aid of his Britannic majesty, conformably to the existing treaties.

He avails himself of this occasion to repeat to his excellency, Mr. Canning, the assurance of his highest consideration.

(Signed)

The Marquis De PALMELLA.  
*London, Dec. 2.*

To his Excellency Mr. Canning,  
&c. &c.

*REPORT made by the PORTUGUESE MINISTER for Foreign Affairs,  
to the CHAMBER of DEPUTIES, on the 4th of Dec.*

Senhores and Deputies of the Nation;—I have already twice had the honour of submitting to this Chamber, in secret committees, some brief information respecting the state of our existing relations with the principal powers of

Europe. I shall now, in the present public sitting, not only repeat what I stated on the two former occasions, but shall give to this equally important and delicate subject all the development in my power.



Senhores!—If the business intrusted to my care required, for the public welfare, to be kept for some time a profound secret, a time has, however, come in which mystery is not only unnecessary, but would be criminal: accordingly, I exerted every effort to keep the secret as long as secrecy appeared to me necessary, but not a moment beyond that period to the limit of which I sincerely believe we are now arrived.

On the 3rd of August, when the Infanta Regent was pleased to call me to her councils, and to intrust the Foreign department to my direction, Portugal was placed in extremely difficult circumstances. The oaths had just been taken to the constitutional charter; but that monument of wisdom and source of felicity which we had recently received from our immortal sovereign don Pedro IV., was hated by a neighbouring nation, ill understood by nearly all the rest, except by Great Britain, which has for ages rejoiced at our prosperity, and which has always been our firmest support in misfortune.

If, however, the great powers were, for a time, undecided with respect to us, their indecision was not of long duration. The French government soon acknowledged the legitimacy and wise policy of our institutions, and we have received through the worthy representative of his most Christian majesty in this Court, repeated assurances of the friendly disposition of that government. The emperor of Russia, whose virtues and wisdom are well known throughout all Europe, was pleased, in an audience which he granted to the Portuguese minister, to state to him, that he had always recognized the legitimacy of our institutions, and that he felt the

greatest interest in the prosperity of Portugal. The instructions which the Russian government gave to its chargé d'affaires at this Court, and which have been most faithfully observed, leave nothing to be desired.

From Austria what more could be wished for, after the counsels which his majesty the emperor has given to that prince for whom the august founder of our charter has destined the hand of his daughter, our august queen?

Prussia follows precisely the same course as her allies.

Before explaining the state of our relations with Spain, I thought it necessary to give this slight sketch of our situation with respect to the great powers of Europe. If I have not spoken more particularly of Great Britain, it is because that great and generous power is so united with us, that at every step I shall be under the necessity of referring to what she has done, and what she proposes to do, in our favour. Had we even no other ally, we should have nothing to fear.

In the month of July, as soon as preparations were made for taking the oaths to the constitutional charter, the intrigues on the part of Spain increased, and the desertions from Portugal commenced. The Portuguese deserters having been not only received, but highly entertained, in Spain, challenged their comrades to commit the same crime. Some Portuguese, who had been elevated to honours and eminent posts, served as emissaries to Spain, by inviting the soldiers to desert, attacking the legitimacy of don Pedro IV., and endeavouring to persuade the ignorant population that the constitution was hostile to the throne



and the altar. How degenerate are such malignant Portuguese!

It became, then, my first duty, on entering into office, to give positive orders (as will be seen by the annexed despatch) to our chargé d'affaires at the Court of Madrid, to require from his Catholic majesty the fulfilment of the treaties existing between Portugal and Spain. However, when the orders which I had forwarded in the name of the Infanta Regent arrived at Madrid, the chargé d'affaires had already declared that he would not swear to the constitutional charter. Consequently, those orders remained without that prompt execution which they ought to have obtained. I cannot refrain from observing, that the criminal conduct of this chargé d'affaires has had much influence in producing the unfortunate course which our relations with Spain have taken. Under those circumstances, the Infanta Regent resolved that the count de Villa Real should go to Madrid in the character of envoy extraordinary and minister plenipotentiary, to carry into effect the orders which the late chargé d'affaires had left unexecuted.

But what was the astonishment of the government, when it was learned that the count de Villa Real was not received by the Court of Madrid? This fact alone would be sufficient to justify a rupture with that Court. The government, however, being aware that the cabinet of Madrid was governed by a faction, and wishing, besides, to give a proof of the moderation of its principles and of its earnest desire to proceed in harmony with its allies, by following their advice to act with the greatest prudence, orders were

given to the minister who had been nominated, that he should merely direct his attention to the fulfilment of the treaties, or at least to the delivery of effects plundered and carried into Spain by the Portuguese deserters, and to the removal of the said deserters from the frontier, and their dispersion. These things we were, by the treaties, not only entitled to require, but we might also have insisted on the men being delivered up as deserters, and guilty of high treason.

It would seem that the Spanish government could not have been expected to hesitate a moment in doing justice to our reclamations; but such was not the case, notwithstanding the zealous co-operation which we received from the English government, which took part in our interests as if they had been its own. Here I may as a Portuguese, be permitted to express my gratitude to the august monarch who presides over the destinies of Great Britain, to his enlightened ministers, to the British minister at the Court of Madrid, and more particularly to my right hon. and most respectable friend, sir William A'Court, to whom the interests of Portugal are as dear as if it were his native land.

A considerable time elapsed without any concession being obtained from the Spanish government, notwithstanding repeated promises made to the count de Villa Real, who continued to reside in Madrid without any recognized character—to the English minister, and to the other representatives of the great powers who constantly recommended caution to the Portuguese government—a counsel which, from a conviction



of its propriety has hitherto been rigidly followed.

At length, in consequence of urgent persuasions, his Catholic majesty's minister for Foreign Affairs declared that the necessary orders were despatched for the delivery of the effects carried off by the deserters, that those deserters would soon be dispersed, that the infamous viscount de Canellas would be ordered to leave Spain, &c. But were those orders issued? I know not? Were they executed? Certainly not. The captains-general who were to execute the orders never received them. Would it be believed possible for the perfidy and immorality of a government to reach this height?

Let us now see what the Portuguese rebels were in the mean time doing with the consent of the Spanish authorities. Part of them endeavoured, by all the means in their power, to harass and seduce the population on our frontiers; others concerted plans for attacking Portugal; others assembling in great numbers took oaths against their legitimate sovereign, and against the fundamental laws of the Portuguese monarchy; going even so far as to proclaim foreign princes as having right to the Crown of Portugal. So degenerate were these monsters! Yet all this was countenanced by the Spanish authorities! all counselled by the Spanish government!

The moment for lifting the mask at last arrived. While the Spanish government was still making promises that the arms of the deserters should be delivered up, those very arms, and others besides, were put into the hands of Portuguese rebels, who attacked Portugal on different points. I

cannot describe so horrible a transaction without being oppressed with grief and filled with indignation: May this be the only example of Portuguese disloyalty, and would that history could conceal from our posterity so disgraceful a deed!

As soon as her royal highness the Infanta Regent was informed of the inroad of the Portuguese rebels she immediately gave me orders to transmit a note to the Spanish ambassador, intimating that his functions were suspended until the Cabinet of Madrid should give a clear and satisfactory explanation respecting the aggression which had been committed. Two couriers were immediately despatched to Madrid, with orders to our chargé d'affaires at that Court to demand not only instant satisfaction, but the recognition of the present government of Portugal within forty-eight hours.

If the Spanish government does not satisfy us, not with words but with acts, it will not be doubted that its intention is to continue to make war upon us. I say to continue, because what has already been done is a real commencement of war; but if it should happen that the war is continued, and we should require aid, we have a faithful and powerful ally, who will come with the greatest promptitude to our succour—England will not delay a moment in supporting us. The government, which is already authorized by the two Chambers to admit foreign troops into the Portuguese territory, will avail itself of that permission with circumspection, but will not hesitate a moment when that measure appears necessary for the salvation of the State. I have now to announce to the Chamber,



that Portugal being attacked and exposed to still further attacks by a great force, I have applied to the English government in virtue of the stipulations in our treaties for the necessary force to aid us against our enemies. I again repeat, that we may and ought to place the fullest confidence in our faithful and ancient ally.

I fear I have trespassed greatly on the patience of the Chamber; but I still do not think myself at liberty to conclude, without stating the causes to which I principally attribute the conduct of the Spanish government.

1. To the instigations of the Portuguese rebels, chiefly the viscount de Canellas, the marquis de Chaves, the viscount de Monte Allegre, Magessi, &c. &c.

2. To the Apostolic Junta, which has long governed the Spanish Cabinet. This Apostolic Junta, whose ramifications extend into Portugal, is composed of men who conceal under the mask of religion and royalism the most horrible crimes. This infamous Junta is, without doubt, the greatest pest of modern society, and ought to be regarded as the most formidable enemy of the

throne, the altar, and of civilization.

3. To the marquis de Moustier, the French ambassador at Madrid, whose conduct greatly embarrassed our negotiations. It is necessary not to confound this diplomatist with the government which he represents, from which, as I have already stated, we have received the strongest assurances of friendship, and I entertain, as I am bound to do, every confidence in its sincerity. I must, however, repeat that the marquis de Moustier, from his unwillingness to obey the instructions received from his government, has been exceedingly prejudicial to the cause of Portugal, and has defeated all the good intentions of his most Christian majesty towards us.

I must no longer tax the attention of the Chamber, but as the Chamber wishes to be exactly informed of the state of our relations with Spain, I shall lay before it all the correspondence with the mission at Madrid, and all other documents, which may in any way tend to elucidate the question.

May my efforts be useful to the country, and may I always deserve the name of Portuguese—the only glory of which I am ambitious.

*SPEECH of the INFANTA REGENT at the Close of the Session of the CORTES.*

Her royal highness not being able to attend, in consequence of indisposition, the bishop of Viseu, peer of the kingdom, minister and Secretary of State for Foreign Affairs, closed the Session of the Cortes on the 23rd of December, by the following speech:—

“Worthy Peers of the Kingdom, and Senhores Deputies of the

Portuguese nation;—Her Serene Highness the Senhora Infanta Regent, on the opening of the Session of the Cortes of the present year, congratulated you on seeing you assembled around the throne of her august brother and king, don Pedro IV., ready to consolidate, by a faithful execution of the fundamental law given to us by a



generous monarch, the establishment of wise institutions, like those to which other nations are indebted for their prosperity and glory, and which were already, in a great part, well known to, and guarded by, our ancestors, though they have since fallen into disuse, and been forgotten in consequence of the operation of time and events.

“On the closing of the same session, she again congratulates you, because, in your constant gratitude for the generosity of our august monarch, in your respect for the constitutional charter, in your noble desire of repairing the ills of the country, and renewing the days of its fortune and illustrious fame, you have confirmed, in the most unequivocal manner, the hopes which the Portuguese conceived of the prudence of the legislator, of the wisdom of the law, and of your known patriotism.

“In this short period you have, doubtless, recognised with regret the defects of our agriculture, the slow progress made by our commerce, the very exhausted state of our finances, and the decay of military discipline and gallantry; and you will, with vigilant efforts, endeavour to remedy those great evils by adequate and prompt measures: but as to know the evil, and to apply with speed the proper remedy, is all that is wanted to obtain a good result, well-founded hopes may be encouraged that, with more time, in other legislative sessions, you will raise our Portugal to that due degree of prosperity and political consideration which corresponds with her situation, with the number and solidity of her alliances, and with the vigour of mind, and comprehensive

as well as circumspect genius of her citizens.

“Such agreeable and well-founded hopes cannot be disappointed by the defection of some cowards, and the delusion of some part of the population by artful persons. Certain ill-disposed men from the frontier of a neighbouring nation, where they were received, have practised deception, and misled some incautious people. Religion menaced, fundamental laws violated, are the vain phantoms with which they have excited fear, and by which they have succeeded in disturbing that union which they, as Portuguese, ought to prefer above every thing.

“The government, however, has not neglected to appeal to the patriotism, led astray indeed, but not extinguished, in their hearts; nor has it forgotten to meet with precautions and impediments, the progress of the contagion. Faithful soldiers, march with valour and constancy to defeat the plans, and counteract the progress of the cowardly and disloyal; and, strengthened by the assistance of our ancient and faithful ally, Great Britain—assistance given with the most generous promptitude—we may confidently hope to overcome still greater obstacles.

“The contract of espousals is celebrated between her faithful majesty the senhora donna Maria II., and the most serene senhor Infant don Miguel, which, taking away all pretext from seditious intriguers, and all ground of distrust from the deluded, must prove an efficacious remedy against discord, rather originating in error than in perverse intention, among a people who have been misled by designing men.

“Worthy Peers of the king-



dom, and Deputies of the Portuguese nation ;—You may rely that her highness the senhora Infanta Regent will, in the mean time, prepare to continue in the following session to display her ardent zeal for the good of the country, and to promote it with efficacy and wisdom.

“ In this manner, her highness trusts that the tree of the state which has from so many peculiar and extraordinary causes fallen into

decay, will recover vigour, and flourish amidst the sincere praises of our contemporaries, and the benedictions of our posterity.”

Having concluded, the aforesaid minister and Secretary of State said, addressing himself to the members of both Chambers :—

“ In conformity with the decree of her highness, the Session of the Chambers for the year 1826 is closed.”

EXTRACT from the MESSAGE of the VICE PRESIDENT of COLOMBIA to the CONGRESS.

Citizens of the Senate and Chamber of Representatives:—Our relations with the American governments, and particularly with the United Mexican States and Peru, have been consolidated in a manner capable of securing a perpetual and sincere friendship. In Panama are assembling the plenipotentiaries of the new States of America, to ratify in the most solemn manner our common resolution of supporting and defending our national independence and liberty against the attempts of our enemies. This assembly, the fruit of our desire to preserve what was won by the sacrifices of the American people, and of the most ardent wishes of the government of Colombia and its liberator for peace and friendship among all the confederate belligerents, is, in the opinion of the executive, the completion of the guarantees of our independence. I have occasioned to be known in Europe what are the true objects of the Assembly at the Isthmus, to put a stop to any disagreeable impression which some cabinets might receive, less from

the insidious conduct of our enemies than from the magnitude of the enterprise which we have effected.

The Peruvian republic has recovered its political existence under the sword and direction of the liberating president. You know what has been the result of the efforts of general Bolivar, efficaciously protected by the fidelity of the people of Peru to the common cause, and by the constancy and intrepidity of the defenders of liberty. In Ayacucho has been conquered the Spanish army, which domineered over all this vast country ; and from that glorious day, until the hour in which the hostile chief who occupied Potosi died, the united armies of Colombia and Peru, directed by an able and fortunate Columbian general, obtained an innumerable series of successes. In consequence of so many brilliant events, the provinces of Upper Peru, the cradle of American liberty, have gained the political existence which they wanted, and raised themselves to an independent state. In the transports



of their enthusiasm and gratitude, the States of this new nation have adopted the name of the Bolivar Republic; consecrating by this means to the end of time the illustrious name of the Liberator of Colombia. I have no expressions to explain our feelings of delight and gratitude for the tribute of homage paid to the liberator, the Colombian army, and its general, by the congress of Peru, the assembly of Chuquisaca, the cities, the towns, and all the citizens. The Congress will receive a deputation of the representatives of Peru, the principal object of which is, to present to them a testimony of gratitude for the efforts which the republic of Colombia has made in favour of the liberty and independence of that country, in spite of vulgar presentiments. I hope that you will be equally pleased, as the executive, at seeing realized an attempt which might affect our own destinies. A part of the auxiliary army is on its return to its country, and another will remain in Peru, at the disposal of its government, to support the deliberations of the State, and to protect the internal tranquillity, while that state may require it, and the republic has no necessity for its troops. To comply with the engagements which we have formed with the United States of Mexico, I have disposed of one part of our forces in a manner of which you shall, in due time, be informed. The common cause of America is interested in this measure, and no part of the new world will be left, to which the republic of Colombia will not have contributed in hunting out the old oppressors, and giving peace and friendship to its brethren.

No cause of complaint exists on

the part of the Brazilian government. The executive has deferred opening the negotiations, which, on account of the question of boundaries, it must establish with that government, as long as it has not security that the minister of the republic will be admitted on terms recognised by the law of nations. Foreign journals represent the emperor as in hostility with the government of Buenos Ayres, for the possession of the Banda Oriental;—the executive has no official knowledge of the transaction.

The treaty of peace, amity, navigation and commerce, which we have made with the United States, having been ratified by the president of those states, our relations with them stand on the happiest and most flattering footing. The convention with respect to the African Slave Trade has not been as yet ratified, on account of the doubts which have arisen in the American Senate, of which the Secretary for Foreign Affairs will inform you at full length.

In like manner the treaty of peace and amity, which you approved of in the last session, is by this time ratified by the government of his Britannic majesty. From that moment the political and commercial relations between the republic and Great Britain will be established in a permanent manner, advantageous to the connexions between nations, and useful to the cause of America. When I had signed this treaty, I admitted, in a suitable manner, the *chargé d'affaires* of his Britannic majesty, who is at present residing in this city. The commercial agents remain in our ports under the circumstances which I announced to you in my former mes-



sage that I had permitted them to exercise their functions; for, while the cause that gave occasion to this procedure of the government still existed, I had no reason to alter the rules of my conduct. Our consuls and commercial agents to the United Kingdom of Great Britain and Ireland will be despatched, when opportunity serves, for the ports which may best suit our mercantile relations.

The executive has exerted itself to the utmost with the government of his most christian majesty, to obtain from it an explicit declaration in favour of the republic. It was a preliminary step to the success of our desires and efforts to give it various explanations, and to lay before it the true rule of our conduct, in order to clear up some points on which it had ideas not very favourable to us. In effect, it authorizes, in the form most adequate to the circumstances, our confidential agent, who has answered our expectations. His communications will be presented to you at full length, and I am confident that the congress will approve the circumspection with which the business has been conducted in circumstances of considerable difficulty, and will applaud the firmness with which we have maintained the system proclaimed by the people of Colombia. I have no reason to despair that the government of France, supported by public opinion, will at length acknowledge our independence, in imitation of other great powers, and propose to establish relations of friendship useful to the people of either country.

The relations with the Apostolic See still maintain an undefined character, owing to causes which it is not difficult to assign.

Very particular circumstances have admonished me to conduct this affair with the greatest prudence, confident that the course of events will eventually produce a result favourable to the stability of public order. The laws which the congress has passed relative to public worship, and to ecclesiastical discipline, have been communicated to the See of Rome; and you may rest assured that, if any thing should occur, the government will support with firmness and dignity the rights of the people of Colombia.

\* \* \* \*

The Secretary of Finance will present you with the general state of the receipts and expenses of the national funds; with calculations of the expenses anticipated in the present year, and with all the other notices which the government can lay before you in so complicated a branch as the revenue. The executive has continued to be surrounded with innumerable difficulties to cover the expenses of administration, not exactly because the engagements of the year were superior to the receipts, but because the greater part of the creditors of the republic have expected that at this time the government should satisfy all demands on it since the year 1816. The congress will acknowledge, from this information, that, in consequence of its being required that the executive should cover in one year the deficit caused in former years, I have been placed in an embarrassing and disagreeable situation. The measure adopted of paying the different creditors by degrees, partly by the quarter of the produce of the customs, partly by the ordinary funds, at progressive periods, has satisfied in part the demands of those inter-



ested; but it has diminished the amount of the annual applicable revenue, which has occasioned a deficiency in the engagements of administration.

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In the accounts of the proceeds of the loan of the year 1824, you will see that, in compliance with the law on the subject, several foreign and domestic debts have been covered; warehouses and parks have been provided; the army has been paid; the government funds have been improved; the interests of all the foreign debts have been paid to the present month; and the agriculture of some departments has received the protection which circumstances permitted. The liquidation of the debt of Peru could not be concluded in favour of the republic. Although Colombia presents itself as creditor, she is debtor to many citizens of the southern provinces, from whom she solicits supplies to assist Peru. The executive hopes that congress will apply to the satisfaction of the said debt, a part of that which the republic of that state covers. By this means we shall execute an act of justice, and protect the people of the south, whose services in the contest of Peru have been prompt and efficacious.

\* \* \* \*

We may pride ourselves that the republic of Colombia not only has broken the chains of slavery, but has established a system of liberty, founded upon the dignity and the rights of men; that she holds among ancient and modern states the reputation which she has acquired by her political or-

ganization, the admirable constancy of her defenders, the glory of her arms, and the good faith of her government; that to her heroic efforts she is indebted for seeing herself, at the present day, alternating with two powers whose physical and intellectual strength is universally recognized; that our people enjoy their civil and political liberty without having seen themselves exposed to those internal convulsions, of which new societies are so frequently the victims; that the laws and the constitution are founded on public opinion and on a free press; that knowledge is gradually spreading and diffusing itself through the vast extent of our territory; that the spirit of enterprise and of activity is beginning to possess our fellow citizens; that the foundation has been laid for peopling and cultivating extensive tracts hitherto almost unknown; that within seven years, the family and the riches of Colombia have increased; finally, that the republic, by the generous aid that she has afforded to her kindred states, deserves to be regarded as the protectress of the liberty and the independence of America. No part can arrogate to itself the right to the exclusive possession of this noble position, it is the work of the people, of the army, of the representative body, and of all the authorities, whose united and continued energies have been protected by the supreme author and legislator of the universe.

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FRANCISCO DE P. SANTANDER.  
*Bogota, Jan. 2, 1826—16.*



*The MESSAGE of the PRESIDENT to the CONGRESS of the UNITED MEXICAN STATES.*

After some introductory observations, the President proceeded as follows:—The month of January in the year just concluded has earned great celebrity, by the circumstance that, in it, the disposition entertained by his Britannic majesty of entering into amicable relations, and recognizing the independence of the new American States, was announced to the diplomatic agents assembled in London. This decisive stroke of profound policy of the English ministry has disconcerted the plans and machinations of foreign enemies, and surprised the cabinets of the allied powers. It has also revealed the secret of their ulterior intentions, and compelled them to confess, that henceforward they totally renounce all armed interference with the insurgent states of America—(*las Americas insurreccionadas.*)—It was their intention to extend and consecrate on this side of the ocean, the absurd principle of legitimacy, and to crush liberal ideas in the new world. Protests, repeated state papers, a mysterious correspondence with the court of Madrid; every thing conspired to confirm the suspicion that Spain, to preserve the religion of her detestable domination, would succeed in obtaining the assistance of the fleets and armies of other nations. The invasion of the Peninsula in 1823 concealed the fatal design of enabling Ferdinand VII. to undertake the conquest of ancient colonies.

The French Generalissimo, in his proclamation to the Spaniards, signified that this was the aim of his august uncle. Let us concede

to the British nation the generous sentiment of flying to the assistance of the cause of reason, justice, and liberty; and of having redeemed the Americas from the evils and disasters of war, by the interposition of her trident. This debt of gratitude is the more pleasing, as the resolution of the cabinet of St. James's was supported by the unanimous vote of all Englishmen interested in all their relations for the triumph of American independence. A nation so eminently industrious, and whose politics and commerce turn on the same axis, participates in the improvements and stability of other nations, who possess materials which luxury and custom have rendered necessary. An event of such great importance has opened the door of communication of two worlds; and Mexico, destined by her happy situation to shine conspicuously in the new order of things, is proud of the inexhaustible riches of her soil. Our agent in London enjoys, from that period, the diplomatic rank by which he has been announced by our government. In the capital of the republic resides the chargé d'affaires of his Britannic majesty, and, associated with Mr. Morier, who arrived at Vera Cruz on the 14th of last month, will engage in a short time in the conclusion of such treaties as I confidently hope will conciliate the interest of both nations. The committees charged with executing the 13th faculty of the general congress, will occupy their sittings with this grave negotiation, which holds the attention of Europe in suspense.

France has solemnly pronounced



her ardent desire of cultivating mercantile relations with this and other modern republics of America, under the guarantees suitable to her government. It is to be wished, as well for the advantage of France as for that of the new continent, that in her cabinet the clamours of those Frenchmen who are animated by a love of glory, and who anxiously desire a new and rich market, as a vent for their abundant industry, should prevail. Whatever may be the appearance of the original act in diplomacy, by which the independence of Hayti has been recognized, it has incontestibly justified the right of insurrection in states, and raised the principle of agreeing with the spirit of the age, above that other false principle that does not distinguish human societies from the flocks of shepherds. Without fear of compromising myself, I consider that France has advanced a step which will gradually conduct her to imitate the glorious example of her dexterous rival. This opinion is founded on the recent agreement of the court of Versailles to send us a commercial agent, and to admit another authorized by the government of the republic. It is not out of the way to observe, that this is the same proceeding which was taken by England, before the full execution of her projects in the new world. However the moment of a definitive resolution on the side of France may be delayed, it is certain, and gives great pleasure to the friends of humanity that her actual dispositions are by no means alarming to the republic.

The king of the Netherlands, descended from that prince of Orange who was the illustrious defender of liberty, a monarch who rules his people with equity

and justice, has recognized a provisional Consul from Mexico, who will speedily execute his functions with a nation which the activity and undertaking genius of its inhabitants raised over drained marshes. Mr. D'Cuartel, commissioned by the king in the republic, has communicated to me, in the name of his government, its adherence to the philanthropic principles of our existence.

The President of the Council of Government of Prussia has communicated the nomination of a commercial agent for the republic, who is at present in the capital of the Confederation. The proceedings of the Company of Commerce of the Rhine have undoubtedly engaged the Cabinet of Berlin to open for their country this path, unknown by the centre of Europe.

Some foreign periodical papers have given satisfactory notices of the intentions of Sweden and Denmark; and, although government is in want of dates and official despatches to communicate this positively to the chambers, it considers it founded on reason, that two maritime powers, which are not immediately in the way of foreign influx, and who are able to provide certain articles of the commerce which Spain carried on, should hasten to enter into friendly relations with the American nations.

In the conduct of the Emperor of Russia is not discovered any hostile inclination against the admirable revolution of the Americans; and as Mexico is, of all other new states, that which borders nearest on the Russian possessions, sooner or later communications will be established with the government of St. Petersburg. Our consideration is already fixed on the memorable Ukase of the 28th



of September, 1821, which prohibits those who are not Russians, from all commerce, fishing, and traffic with the islands and coast of the north east of America, from Behring's Straits to the 51st degree of N. lat. and on the Aleutian isles, the east coast of Siberia, and the Kurile islands. The protest of the United States of the North sufficiently explain of how much importance this law is to the sovereignty of the sea.

The Holy Father, who unites the double rank of Sovereign of Rome and head of the Catholic Church, has excited the veneration and affection of the Mexicans, who anxiously desire to open relations with the Father of the faithful, in objects exclusively religious and ecclesiastical. The benevolent letter which was addressed to me on the 29th of July last, by Leo XII. manifests his ideas of justice, and makes me believe that our envoy, who arrived in Brussels last August, will be paternally received, when he pays his homage to the legitimate successor of St. Peter.

And coming to those nations that inhabit the happy hemisphere of Columbus, justice and gratitude compel us to mention before all others the most ancient state of America, and the first of the civilized world that solemnly proclaimed our rights, after having preceded us in the heroic resolution of shaking off dependence on the mother country. The United States of the north, models of political virtue and moral rectitude, have advanced under the system of federative republics, which being adopted among us, by the most spontaneous act ever remembered, has placed us on a level with the country of Washington, and strengthened the most intimate

union between the neighbouring countries. A plenipotentiary of this nation accredited to our government is commissioned to ratify treaties which, without delay, shall be laid before your chambers. The most urgent point is the definitive regulation of the limits of both nations, and the government is preparing surveys which will facilitate the conclusion of the negotiation on the unalterable bases of candour and good faith.

The republic of Colombia, in order to identify its principles in peace and war with ours, has concluded a treaty of perpetual union, league, and confederation, which being solemnly ratified, is the inviolable support of the harmony of two countries naturally friends and allies. The Colombian squadron was ready to set sail for our coasts, in compliance with one of the articles of the convention; but the government considered its coming unnecessary for the ultimate success of our arms.

The great victories of president Bolivar in Peru will accelerate its wished-for organization. The independence of this republic was recognized in the time of the protectorship of general San Martin, and since that time no minister commissioned by any of the various provincial governments of Peru has appeared in Mexico.

The chief of the United States of Rio de la Plata has made me protestations of the most firm and cordial friendship between that state and the Mexican nation.

The Chilian Republic, not exempt from momentary oscillations, will not be able to defer a more intimate and frequent communication with Mexico.

Last year some contests took place with the republic of the



centre to preserve the integrity of the state of the Chiapas, and the government, in agreement with the intentions of Congress, will give the preference to the means of peace and friendship, while it is possible that they will be sufficient to guarantee the honour of the nation. An agent for our commercial affairs is named for Guatemala, who will start as soon as he obtains the constitutional approbation of the Chamber of Senators.

The union of the representatives of all the American nations at Panama to consolidate the alliance and cordial friendship of the great family which, multiplying prodigies of valour, and strong exertions of constancy, banished for ever Spanish domination, will not be long in realizing. The plenipotentiaries of Mexico will be at sea during the month which now commences. I felicitate the Chambers and the American continent on the approach of an event which history will record as the greatest which happened in the nineteenth century.

Directing our attention to the brilliant situation of the interior, new and important triumphs have rendered the glory of the republic more sublime. The Spanish squadron in the Pacific, which supported the hopes of the government of Madrid, even after the campaign of Ayacucho, capitulated on the 1st of May, in Monterey of California, augmenting our marine by the ship *Asia*, now the *Congreso Mexicano*, and the brig of war *Constante*. The value of this action, in a political point of view, is incalculable, and in a moral point of view gives room to considerations highly honourable to Mexico, which was chosen among all the states that front the ocean

to receive the last spoils of the dying power of Spain in the seas of America. The generosity of the Republic to the unfortunate men who adopted a new and ameliorated country, paid them their dues from the Spanish government, which fails in all its engagements, while it demands sacrifices.

The Chambers participate in this movement of joy which transports me, when I recollect that at the end of four years of useless attempts and toils, for the surrender of the famous castle of St. Juan d'Ulloa, the flag which Cortez raised over the waters of Mexico has struck. By the result of the anticipated combinations of government, of the vigorous siege by sea and land, and the forward movement of our marine, directed by an able hand, against the enemy, our troops, on the 21st of December, seized the position which is called the Gibraltar of America, which may be called the key of Mexico, and which the sworn enemies of independence preserved as the gates of the republic. An event of such magnitude, and which has been the object of the most ardent vows of the patriots, would be sufficient to satisfy the nation for its losses in its long years of contest, and to flatter the Congress and the government that their toils have been directed to the benefit of the Mexican states. The republic has placed itself in that high point of consideration, which the reputed testimonies of every day confirm, and it has impressed the last seal on the triumph of the great cause of American liberty, which is radically identified with the fortune of Mexico. The government which sees itself seated in the national congress on the throne of justice, calls from its



august munificence for the recompense which its gratitude owes to the valiant soldiers of the country.

Finance, which in all countries is the barometer of their riches and aggrandizement, proposes the most gratifying augmentation of revenue. The redemption of debt has infused into our creditors that confidence which constitutes the magic of our resources. Our national credit in foreign markets advances in proportion to our religious exactness in observing the conditions of our loans with the houses that contract for them. The house of Barclay, Richardson, and Co. of London, negotiated advantageously the loan which it was commissioned to form by the republic. Happily, very little of it has been employed for common purposes. The equipment of ships, the providing of arms, clothing, and accoutrements for the army—the improvement of our tobacco plantations, and the redemption of a considerable part of the loan contracted in 1823 with the English house of B. Goldschmidt and Co., together with the punctual payment of the dividends, and the ordinary sinking fund, have been the object of its clear produce. Its utility has been seen in the state of the army, in the increase of our marine, in the acquisition of Ulloa, and in the external and internal security which we enjoy. The half of the duties of our marine customs being paid at the custom-house on the coast, and the other half in Mexico, the strictest orders have been given that the half of the former, that is, the fourth part of the whole amount, should be deposited in Vera Cruz, Alvarado, the old town of Tampico, Tampico de las Tomaulipas, Soto la Marina, and Refugio, to be employed in

the complete and prompt discharge of the dividends and ordinary sinking fund, without the necessity of having recourse for this purpose to the remainder of the last loan, which is still in London, at the disposal of the government.

The strict regulation of maritime dues will impress the greatest benefits on commerce, and the approaching balance will show advantages compared with that of 1824, and even 1825, which will be more general and perfect. The customs for some months are proceeding to their total organization, and they will, beyond doubt, attain it according to the designed plan. The states of the Chiapas, Queretaro, Puebla, Tabasco, and Yucatan, have received assistance in their pecuniary affairs, which their finances, at the moment, could not meet. Bejar, Cohahuila, Chihuahua, and Tejas, have been suitably regarded. Succours of every kind have been sent to California. The warehouses of the capital have been supplied with an abundance of clothing and supplies for the army, which secures its proper permanence.

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The army has re-established its *morale*, the principle of its existence; and discipline has advanced in one year above all calculation, both in the regiments of the line, and the active militia. The brilliancy of the equipment, and the excellence of the arms, contribute in a great measure to make our army equal to the best in the world. The greater part of the valuable arms sent from Europe has already arrived, and the remainder will soon be received, so as to fulfil the expectations of the country. It supplies with artillery the fortified points of the coast, and the service



of the country. In Perote an abundant deposit of munitions of war is directed to be formed, in order to guard them against the severity of weather in the north, and with other views of evident advantage. Provisional commissions have been given to the presidential companies, until the chambers shall pass the consulta of the 13th of March last, and supplies them with clothing, arms, and munition, to keep in order the uncivilized tribes. The Yaguis, in Alto-Sonore, have committed some murders; but the activity of the military chiefs and the political authorities, has placed them in a condition to demand peace, and to avoid the repetition of similar atrocities. Congress, granting means analogous to its philanthropic sentiments, and the compassion which those unfortunate branches of the human race inspire, facilitates further the acquisition of social enjoyments—banishing for ever the barbarous policy of the Spanish government, which by regulations, printed and circulated among the military chiefs on their frontiers, ordered that war should be provoked that their destruction should follow. Government has drawn them to all the stations by every means of peace and lenity; and the sword will not be drawn unless to punish insurrections. The points where we border on the enemy have been guarded by the opportune despatch of troops. The state of defence in Yucatan is very respectable, and the government, on account of its proximity to Cuba, has paid particular attention to it. These precautions are not superfluous, even though the physical and moral impotence of the enemy be visible. The fortifications of the important fortress of San Juan de Ultra are

begun to be repaired, in order that the first gate of the republic in the ocean may be maintained in perfect security.

Our navy, after having done its duty in the surrender of Ulloa, is employed in guarding our coasts from the incursions of pirates and smugglers. The vessels which are getting in readiness will augment its force in a short time, and protect commerce in the Mexican Gulf, keeping always in regular employment two sloops of war and a brig in the Southern seas. Our correspondence with California, which is paralysed for want of vessels, will soon be increased by two packets built in San Blas. The ship Congreso Mexicano, fully equipped, will weigh anchor from Acapulco within a month at latest, for the northern seas, where it will perform the useful services confided to it by the nation.

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Knowledge is beginning to be diffused among all classes of society. The government delights to exert itself in improving the establishments for the purposes of education, in the formation of others, and in the efforts which are taken to effect a genuine and lasting spirit of intelligence among the people. A select meeting of citizens, lovers of the honour of their country, have conceived and realised the design of erecting, in the capital, an institution for the improvement of science, literature, and the arts. The executive has approved of the statutes, and met the directors appointed to distribute the funds. The academy of San Carlos keeps the door open for the formation of good taste in those arts which add to the comforts of life; and has begun to form a national museum, which is to be the depository of all

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that is rarest and most precious in our country, for the improvement of our youth and the admiration of foreigners. In the various states colleges are erected for the study of the physical and moral sciences, including political economy, legislation, and the other branches of knowledge, which the pusillanimity of the Spanish government prevented from being extended to us. The schools for primary instruction have also multiplied, and the system of Lancaster begins to become general. Various societies and academies second the rapid spread of information. The greater part of the states have purchased printing presses, and the freedom of thought in Mexico gives ample employment to them all. The government is occupied in forming an extensive plan of Education, which will merit from the chambers all the attention which its earlier labours entitled it to.

The working of the mines has given employment to much foreign capital; has revived our interior population, and animated our agriculture and our commerce. Want of employment exists no longer; all hands are occupied, and the hopes of those families are revived, which from opulence might have passed into the deepest pover-

ty. A great supply exists in the mint, and the circulation of the signs of value will augment with the public wealth. The introduction of machinery, and the arrival of consummate artists among us, will diffuse here those lights for which we once envied Europe. Imagination can scarcely picture the felicity which is in store for our country. Industry, which secondarily belongs to the foundation of our resources, visibly improves. Our paper, iron, glass, and cotton manufactories, all attest the activity and the talent and the enterprise of the Mexicans.

Hitherto the plan appeared problematical of forming a communication between two seas, by cutting the isthmus of Tehuantepec by means of a canal; but this difficulty has disappeared, and it will be easy to form roads well calculated for commerce. The expedition which the government sent to this part of the country has returned, confirming this intelligence, having in a great measure effected its designs. The secretary of state will detail to the chambers the great efforts made by government to leave nothing undone in the important objects of creating and advancing the organization of the interior.

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ADDRESS of GENERAL BOLIVAR to the CONSTITUENT CONGRESS of BOLIVIA, accompanying the Plan of a Constitution for the Government of that State.

Legislators! — On presenting you with the plan of a constitution for Bolivia, I feel myself overwhelmed with confusion and timidity, from a persuasion of my unfitness for the task. When I re-

flect that the wisdom of ages is not sufficient to draw up one fundamental law which is perfect, and that the most enlightened legislator is the immediate cause of human misery, and a mockery, as it were,



of his divine mission, what am I to say of the soldier who, born amongst slaves, and buried in the deserts of his country, has seen nothing but captives in chains, and brethren with arms in their hands to break them? I a legislator! Your mistake and my engagement dispute the preference: I cannot say who suffers most in this dreadful alternative—you, from the evils you must apprehend from the laws you have asked of me; or I, from the disgrace to which your confidence condemns me.

I have made every effort to explain to you my opinions on the manner of governing free men according to the principles adopted amongst civilized nations, although the lessons of experience only present long series of disasters, interrupted by occasional gleams of good fortune. What guides are we to follow through the gloom of such sorrowful examples?

Legislators, your duties call upon you to resist the shocks of two powerful enemies which are constantly contending with each other, and both will attack you at once; tyranny and anarchy form an immense ocean of oppression, which surrounds a small island of liberty, perpetually struggling against the violence of the waves and hurricanes incessantly threatening to bury her in the deep. This is the sea in which your frail bark has to navigate, and whose pilot is so inexperienced.

The plan of a constitution for Bolivia is divided into four political powers; one more having been added, without complicating the principal division of each of the others. The electoral power has received attributions which were not given to it in other governments generally considered to be most

liberal. These attributions very much resemble those of the federal system. It has appeared not only prudent and useful, but likewise easy, to give to the immediate representatives of the people, the privileges which would be most coveted by the citizens of each department, its provinces and cantons. No object is of more importance to a citizen than the election of his legislators, magistrates, judges, and pastors. The electoral colleges of every province represent its wants and interests; and are the organs of complaint for infraction of the laws, and for abuses of the magistrates. I may venture to say with some foundation that this branch partakes of the rights enjoyed by the government of the states of the federal system. In this way a new weight has been placed in the balance against the executive power; and the government has acquired fresh guarantees, more popularity, and additional claims to rank among those which are most distinguished for their democratic principles.

Every ten citizens name an elector; the nation is thus represented by the tenth part of its citizens. Nothing is required but capacity, even property is not necessary, to exercise the august functions of sovereignty; but he must know how to write his vote, sign his name, and read the laws. He must profess some science or art by which he can secure an honest livelihood. None are excluded but those who are vicious, idle, and grossly ignorant. Knowledge and honesty, not money, are what is required for the exercise of the rights of the people.

The legislative body is so composed that it must necessarily harmonize amongst its different parts;



it will never be found divided for want of a judge to arbitrate, as frequently occurs where there are only two chambers. There being here three, the difference between two is decided by the third; the question is examined by two contending parties, and another impartial one who decides it; in this way no useful law is put aside, or at all events it will have been discussed once, twice, or three times before it be rejected. In all affairs between two adverse parties a third is chosen to decide, and would it not be absurd not to adopt a measure, dictated by imperious necessity, in the most important interests of society? The chambers will thus preserve towards each other those considerations which are indispensable to the conservation of the union of the whole, who ought to deliberate in the silence of the passions in the calmness of wisdom. Modern congresses, it will be said, have been composed of only two bodies. It is because in England, which has been their model, the nobility and the people ought to be represented in two chambers; and if in North America they did the same, although they had not nobility, it is probable that habits derived from their living under the British government induced them to imitate it. The fact is, that two deliberating bodies must be in a continual state of contention; on this account Sieyes proposed that there should be only one—strange absurdity!

The first chamber is that of Tribunes; they have the right of proposing all laws relative to finance, peace, and war. This body has immediate inspection over those branches administered by the executive with least interference on the part of the legislature.

The Senators have the formation of the codes and ecclesiastical regulations; they watch over the administration of justice and over public worship. The Senate chooses the prefects, judges of districts, governors, corregidores, and all other persons filling subordinate situations in the courts of justice. It proposes to the chamber of censors the members of the high court of archbishops, bishops, prebends, &c. Whatever has relation to religion and the laws is under the superintendence of the senate.

The Censors exercise a political and moral authority, which has some resemblance to that of the Areopagus of Athens and of the censors of Rome. They are, as it were, the fiscals of the nation against the government, to watch over the religious observance of the constitution and public treaties. I have placed under their protection the national jury, which is to decide on the good or bad administration of the Executive.

The censors are the protectors of public morals, the sciences, the arts, public instruction, and the press. The censors exercise the most terrible as well as the most august functions. They condemn to eternal opprobrium the usurpers of sovereignty and illustrious criminals. They grant public honours to the services and virtues of illustrious citizens. The appreciation of glory has been confided to their hands; the censors ought, therefore, to be of unsullied innocence and unspotted life. If they err, they shall be accused even for trifling faults. To these priests of the laws have been confided the custody of our sacred tables; for they it is who are to prevent their profanation.

The President of the Republic,



in our constitution becomes as the sun which, immoveable in the centre, gives life to the universe. This supreme authority should be perpetual, because in those forms of society where hereditary rank is unknown, a fixed point around which magistrates and citizens, men and things, should revolve, is required more than in others. "Give me a place to stand upon," said one of the ancients, "and I will move the world." In Bolivia this point is the president for life. Upon him depends all the regularity of our system, without, on that account, his possessing any active interference. He has been deprived of his head that his intentions may not excite alarm, and his hands have been tied that he may injure no one.

The president of Bolivia possesses some of the powers given to the Executive in the United States, but under restrictions favourable to the people. His continuance in power is the same as that of the president of Hayti. I have taken for Bolivia the Executive of the most democratic republic in the world.

The island of Hayti (you will forgive me thus digressing from my subject) was in a continual state of disturbance; after having tried an emperor, a king, a republic, all known forms of government, and others beside, she was forced to have recourse to the illustrious Petion for her salvation. They placed their confidence in him, and the destiny of Hayti was no longer subject to vacillation. On Petion being chosen president for life, with power to choose his successor, neither the death of this great man, nor the succession of the new president, have caused the least commotion in the state; every

thing has gone on under the distinguished Boyer with the tranquillity of a legitimate monarchy; —A triumphal proof that a president for life, with the power of naming his successor, is the most admirable feature in the republican system.

The president of Bolivia will be less dangerous than that of Hayti, the mode of succession being more secure for the welfare of the state. Besides, the president of Bolivia is deprived of all influence: he neither appoints the magistracy, nor the judges, nor to ecclesiastical offices, however subordinate they may be. This deprivation of power has never yet taken place in any well-constituted government; it adds obstacle to obstacle in the way of the authority of a chief, who will always find the whole people under the influence of those who exercise the most important functions in society. The priesthood has the control over the consciences of the citizens, the judges over their property, their honour, and their life, and the magistracy over the public acts of the nation. Being indebted to the people for their dignity, their glory, and their fortune, the president cannot hope to engage them in his ambitious designs. If to this consideration we add that which arises from the constant opposition a democratic government meets with at every step of its administration, it appears not unreasonable to suppose, that the usurpation of the rights of the people is less likely to occur in this government than in any other.

Legislators, henceforward liberty will be indestructible in America. Observe the uncultivated aspect of this continent, which alone expels the idea of a monarchical form of



government: its deserts invite us to independence. Here there is no high nobility, no high church dignities. Our wealth was almost nothing, and at present it is even less. Although the church possesses influence, it is far from aspiring to dominion, satisfied with its own preservation. Without this assistance, tyranny can never be permanent; and if some ambitious characters exert themselves to raise empires, the example of Dessalines, Christophe, and Iturbide tells them what awaits them. There is no power so difficult to maintain as that of a new dynasty. Buonaparte, the conqueror of all that opposed him, was not able to overturn this rule, stronger even than empires. And if the great Napoleon was not able to hold up against the league of republicans and aristocrats, who could found monarchies in America, on a soil illuminated with the brilliant flame of liberty, which consumes the materials of which those royal scaffolds are to be constructed? No, Legislators, do not fear pretenders to the Crown; it would be on their heads like the sword hanging over Dionysius. Those founders of modern dynasties, who are blind enough to construct thrones on the ruins of liberty, will raise tombs to their ashes, which will inform future generations how they preferred their insane ambition to liberty and glory.

The constitutional authority of the president of Bolivia is the most restricted of any that is known; he only names those employed in the departments of finance, of peace and war; he commands the army. This is the extent of his powers.

The administration is entirely

given to the ministry, who are responsible to the censors, and object to the jealous vigilance of all the members of the legislature, the magistrates, judges and citizens. The Custom-house officers and the soldiery, the only agents of this ministry, are not, indeed, the most likely to engage popular favour on their side; their influence, therefore, will be nothing.

The Vice-president is the magistrate most fettered by restraints that ever held command; he obeys conjointly the legislature and the Executive of a republican government. From the former he receives laws; from the latter orders; and between these two barriers he has to proceed in a path beset with difficulties and surrounded by precipices. Notwithstanding these inconveniences, to govern thus is preferable to absolute power. These constitutional barriers strengthen his political conscience, and afford him well-grounded hopes of meeting with a light to guide him among the rocks by which he is surrounded; they act as a support against the assaults of our passions in concert with the self-interest of others.

In the government of the United States it has been latterly the practice to choose the prime minister to succeed the president. Nothing is so judicious in a republic as this; it has the advantage of placing at the head of the administration a person experienced in the affairs of government. When he enters upon the exercise of his functions, he goes prepared, and carries with him the breeze of popularity and a practical knowledge of business. I have taken advantage of this idea, and I have established it as a law.

The president of the Republic



appoints the vice-president, that he may govern the state, and succeed him in the command. By this means, the period of elections is avoided, which is productive of that great scourge to republics—anarchy, the luxury of tyranny, and the most dreadful as well as most immediate danger which threatens popular governments. By this means also this dreaded crisis passes over in republics the same as in legitimate monarchies.

The vice-president must be a man of consummate integrity: for if the first magistrate does not select an upright citizen, he must fear him as his most dangerous enemy, and be in constant suspicion of his ambitious designs. The vice-president must endeavour to deserve by his services that confidence which is necessary to enable him to carry into effect the duties of his high office, and to hope to obtain his great reward from the nation—the supreme command. The legislative body and the people will exact capacity and talents from this magistrate; and will require his blind obedience to the laws of liberty.

Hereditary succession is what principally tends to perpetuate monarchical institutions, and makes them so general throughout the world; how much more advantageous is the order of succession I have proposed for the vice-president? If the heirs of princes were chosen by their merits, and not by chance; and instead of remaining in activity and ignorance they were placed at the head of the administration; they would doubtless become more enlightened monarchs, and would be the delight of their subjects. Yes, Legislators, those monarchical institutions which govern the world,

found their claims to approbation on the order of hereditary succession which makes them stable, and on union which makes them strong. For this it is, that although a sovereign prince is a spoiled child, shut up in his palace, educated by flattery, and a victim to his passions; this prince, whom I will venture to call the laughing-stock of mankind, governs a portion of his fellow-creatures, because he preserves order in the state of things, and subordination among his subjects by the immutability of his power and the steadiness of his policy. Consider, Legislators, that these great advantages are united in a president for life and an hereditary vice-president.

The judicial power which I propose, is most completely independent; no where is it so much so. The people present the candidates, and the legislature chooses those who are to fill the seat of justice. Unless the judges derive their origin from the people, it is impossible to preserve in all its purity this safeguard to the rights of individuals. These rights it is, Legislators, which constitute liberty, equality, security, all the guarantees of social life. The truly free constitution is written in the civil and criminal codes; and the tyranny most to be dreaded is that exercised by the tribunals in the name of the laws. Generally, the Executive is but the depositary of the common weal; but the tribunals are the arbitrators of what is our own, of the property of individuals. The judicial power is the measure of the prosperity or misery of the people; and if there be liberty, if there be justice in the republic, it is distributed by it. The political organization, provided the civil be perfect, is sometimes of little con-



sequence; let the laws be religiously fulfilled; let them be as inexorable as fate.

According to the opinions of the day, we of course have prohibited the rack and extorted confessions; we have also cut of the prolongation of law-suits in the intricate labyrinth of appeals.

The territory of the Republic is governed by prefects, governors, corregidores, judges of the peace, and alcaldes. My limits have not allowed me to enter into a detail of their organization and of the extent to be given to the jurisdiction of each; it is however my duty to present to the Congress some regulations concerning the government of the departments, and provinces. Bear in mind, Legislators, that nations are composed of cities and cottages; and that on the welfare of these depends the felicity of the state. You can never pay too much attention to the good government of the departments. This point is of the utmost importance in the science of legislation; it is, notwithstanding, too much overlooked.

The armed force has been divided into four parts—the troops of the line, the navy, the national militia; and the military corps of Custom-house officers. The duty of the troops of the line is to defend the frontier. God forbid that they should turn their arms against their fellow-citizens! The national militia is sufficient to preserve internal tranquillity. Bolivia does not possess an extensive coast; a navy, therefore, would be useless; some day, notwithstanding, we may have both one and the other. A corps of Custom-house officers under military discipline, is in every respect preferable to simple Custom-house officers; this service is more

immoral than superfluous; it is, therefore the interest of the Republic to guard its frontiers with troops of the line, and with troops of Custom-house officers against the machinations of fraud.

I have proposed that the constitution of Bolivia should be reformed at certain periods, according to the movements of the intellectual world. The steps to be followed in the introduction of reforms have been laid down as I have thought most advisable.

The responsibility of persons in public situations is laid down in the constitution of Bolivia in the most explicit terms. Without responsibility, without restraint, the state becomes a chaos. I venture to urge strongly the members of the legislature to pass the strictest and most definite laws upon this important subject. Every one talks about responsibility, and there it ends. There is no responsibility, Legislators: the magistrates, judges, and public officers abuse their authority, because the agents of the government are not under rigorous restraint; and the people, in the mean time, are the victims. I would recommend the passing of a law which should direct every person employed under government to give annually an account of his conduct.

The most complete guarantees have been established; civil liberty is the only true liberty; the rest are merely nominal, or have but little influence on the condition of the people. Personal security, which is the object of man's entering into society, and from which the others emanate, has been guaranteed. With respect to that of property, it will depend upon the civil code, to the composition of which you ought immediately to



dedicate your talents, for the benefit of your fellow-citizens. I have preserved intact the law of laws—equality ; without it, all our guarantees, all our rights are null. To it we must sacrifice every thing. At its shrine I have immolated the infamous laws of slavery.

Legislators ! Slavery is an infraction of every law. The law which recognized it would be most sacrilegious. What right can be alleged for its continuance ? Look upon this crime in every point of view, and I am satisfied there is not one inhabitant of Bolivia so depraved as to pretend to justify this most scandalous violation of the dignity of man. One man to be owned by another ! A man to become property ! God's image put to the yoke like a beast ! Tell me where is to be found a defence of these usurpers of man ? Guinea cannot furnish it, for Africa, laid waste by fratricide, only presents a field of crime. The remains of those African tribes having been transplanted here, what power can sanction the right of property over these vic-

tims ? To transmit, to prolong, to eternalize this crime, mingled with torments, is an outrage revolting to our nature. To found a right to possession upon the most savage delinquency, could never be imagined without overturning every element of justice, without the most determined perversion of every idea of our duties. No one can destroy the sacred doctrine of equality : and can slavery exist where equality is proclaimed ? Such contradictions would be taken as evidence of our want of sense, rather than of justice ; we should be considered more as madmen than as robbers.

If there did not exist a God, the protector of innocence and liberty, I would prefer the condition of the lion, ranging uncontrolled the desert and the forest, to that of a captive at the mercy of a mean tyrant, who, an accomplice of his crimes, will provoke the anger of Heaven : but no ; God has destined man for freedom ; he protects him, that he may exercise the heavenly gift of free will.

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CHILI.—ADDRESS of FREIRE to the NATIONAL CONGRESS, at its Opening, July 6.

Gentlemen—Having, after much toil and fatigue, overcome the dangers which threatened us, how grateful is my heart to behold, united in this august Assembly, the Representatives of the Chilian people. The hopes of the nation are reposed in this assembly, and on it depend, from henceforward, its destinies. In your wisdom and your patriotism is fixed the public confidence ; to me they are the strongest guarantee of your future conduct, and a surety that no ob-

stacle, of whatsoever magnitude or nature, will delay the progress of your march, until you have accomplished the immense undertaking of a new social regeneration.

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In spite of the enlightened principles, and great and elevated idea, of the constitution formed by the congress of 1823, it was not possible, from one cause or other, to resist the clashing of public opinion, nor the force of the general will of the people, who, impelled,



as by a simultaneous action, solemnly raised their voice to the government, and supplicated for its suspension. It was found, amidst other reasons, to be impracticable in its application, and so complicated in its spirit, so excessively minute and exact, that its perfection was only ideal, and could not be adapted to our native customs, nor to the generally received ideas.

It may be added, that, constituted as the executive power was, owing to its restricted faculties, it was found to be quite impotent, and deprived of that strength and energy which, from its very nature, it ought to inherit—and which, in the midst of difficulties, the public weal required.

These considerations were addressed to the government in representations submissive and respectful; vigorous, and sometimes bearing the character of impatience, and even a tone of bitterness which assumed the tone of desperation.

Under these circumstances, I was compelled, contrary to my own principles and sentiments, to yield to the universal clamour. The pernicious effects, however, did not escape me, which a resolution, although made legitimate by the public will, presented, it being an example prejudicial in itself, and possibly injurious at a future period. Compelled to close my eyes and my ears to every thing but the public good, it was decreed, in conjunction with the then existing senate, to suspend those parts of the constitution which had not already been acted upon.

Resuming, therefore, in consequence of this event, in my own person, the extraordinary powers which were the object of the general desire, I dedicated myself,

with the greatest earnestness, to the adoption of every means in my reach to promote the public good, endeavouring to deserve the unlimited confidence reposed in me by my fellow-citizens, until such period as circumstances might permit the re-union of a congress to reform the old constitution, or to model a new one. Amongst the first measures which I undertook was the reformation of the religious bodies. The decay of those establishments, the total neglect of the spirit of the founders, morals, religion, and decency, counselled me to this—to restore it to its ancient purity, conformably with the ends of its institution, without the alienation of those immense riches, which an indiscreet piety and the torrent of overflowing zeal had accumulated in their hands, to the great detriment of industry, and diametrically opposite to that science of political economy which practice has proved to be the principal fountain of public prosperity, that is to say the subdivision of capital.

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Convinced that it is agriculture which constitutes the real riches of a nation, and consequently that it is entitled to the chief protection of every government, especially in a country so prodigiously fertile as ours, I have spared no pains for the accomplishment of my earnest desire to recover it from its present decayed and neglected state. With this view our minister plenipotentiary, residing in London, conformably with the instructions given him, has concluded a contract of colonization, in which he has agreed for the transportation of 4,000 families, amongst whom it is proposed to distribute 28,000 cuadras of land



in the territory that lies between the rivers Bio-bio and Imperial—in certain districts of the government of Valdivia—and in the Department of Osorno.

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The administration of justice, a point of such immense importance to the welfare and felicity of every country, is conducted in Chili on fixed and invariable principles, and subject to immutable regulations. The code promulgated by a decree of the Senate, in 1824, cannot be sufficiently praised, abounding as it does in the most philosophical principles, well worthy the enlightened age in which we live.

The establishment of a police, having for its object not only the public tranquillity, but the convenience, ease, health of our countrymen, and the embellishment of our towns, has not yet been effected. The minister of the interior will, in due time, lay before Congress, for its attentive consideration, a plan which will, it is hoped, meet its approbation, and ensure to this country the beneficial effects observable in other civilized states. The object of all institutions of this nature must be the amelioration of public morals, and indirectly, the diminution of those crimes and offences which disgrace humanity.

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The present state of education amongst us is certainly deplorable, and has, therefore, a preferable claim to your attention and protection. I speak not of individual or privileged education, confined to a certain number, or to a certain class; but I speak of that national education, properly so called, which, embracing in its vast plan all the individuals of the social circle, opens to all, without distinction,

the door of universal knowledge; which, indifferent to those accidental inequalities which capricious fortune, or vicious institutions, or even crime itself, sometimes establishes among men, appreciates merit alone, and gives the freest scope to talent. The National Institute, although inadequate to these high purposes, is, without doubt, the only establishment which can with truth be said to exist in Chili capable of fulfilling the ardent hopes entertained on this subject, particularly since its late reform, and the great improvements that have taken place, as well in its external appearance, as in its internal administration.

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The situation of a treasury, perpetually in a state of exhaustion in consequence of the drains occasioned by a large and extraordinary expenditure, has left me but little leisure to attend to other objects of public importance and utility; nor have I yet been able to effect such organization of the finances of the country as would bring the revenue of the nation, and even its ordinary expenditure, to a level. Indeed this desirable object cannot be realized till it is determined to supersede certain antiquated notions, by principles more congenial to common sense, and more in accordance with the common and well-known axioms of political economy.

The system of direct taxation, uniting, as it does, all financial advantages with the principles of distributive justice on which it is founded, experienced the most remarkable indifference at the hands of the legislative body in the year 1824, to whom it was proposed, for the purpose of obtaining their sanction, together with other mat-



ters, by the then minister of finance, who adduced, in a luminous memorial, the most approved maxims of political economy, in support of its utility. This measure met also with the greatest opposition from a numerous body of men, who have ever considered it in the light of a fatal innovation, and who went to the ridiculous extreme of viewing it as a matter of doubt and anxiety, for those persons of timid and over-scrupulous consciences, perpetually vacillating between their own interests, and the solemnity of an oath. Finally, it was considered as an odious inquisitorial imposition, which violated the seclusion of private life, and tore aside the veil of domestic secrecy. To you, gentlemen, it belongs to remove these errors of opinion, which have at all times acted as a check to the development of great and useful discoveries. The minister of finance will lay before you, with all the clearness possible, a detailed communication respecting the state of perfect nullity in which this branch of revenue is at present involved, and will propose the reforms which have become so imperiously necessary, for meeting the pressing exigencies of the nation.

The deficiency in the revenue, up to the present day—which the ordinary expedients have been insufficient to cover—has been the occasion of evils of the greatest magnitude; and of these evils, by no means the least has been the necessity imposed on the government, of granting a monopoly of the articles of tobacco, foreign liquors, and tea, for the purpose of providing for the half-yearly interest of the loan of five millions, raised in London, to the great detriment of a portion of the incipient industry of the nation. The

only justification of this measure is the imperious law of necessity, which teaches and compels us of two evils to choose the least.

The expedition against Chiloe, the last receptacle in these seas for the ruins of the Spanish power, having succeeded in its object by the union and incorporation of that Archipelago with the territory of the republic, of which it is an integral part, our independence has been established for ever, and a considerable portion of our naval and military force was left without employment. This consideration induced me to carry into effect the decree for disarming the squadron, and for the sale of the frigate *Maria Isabel*, and the two corvettes, the *Independencia* and *Chacabuca*, of the particulars of which the minister of the department will give you the requisite information. A great part of the produce of these sales has been applied to the payment of the arrears due to officers and crews of the navy—a debt rendered the more sacred by the eminent services performed by that brave and honourable body, whose flag, always victorious, has traversed the vast expanse of the Pacific, to meet and triumph over the enemies of the republic.

The diminution of the army is not less an object of interest and importance to the nation, especially when the national guards, whose organization will soon be completed, shall be able to be their substitutes, in promoting and maintaining public order and tranquillity.

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The division of the territory of the republic into a greater number of provinces, has been provisionally decreed, in conformity with the general wish of the people of Chili,



and with a view to conciliate the interests and advantages of all. This measure appears to me to promise the most beneficial results, not only by promoting the different branches of national industry within the provinces, but by exciting useful competition among them, by establishing a kind of rivalry, of which the effect must be to increase the national prosperity, and to impart to our institutions a firmness and solidity, springing from this closer union and friendship, of which they have hitherto been deprived, to the great diminution of our credit, and to the imminent risk of an interruption of public tranquillity. Having thus gone through the principal topics relating to the internal administration of affairs, it remains that I should give some account of our foreign relations.

The most friendly disposition exists between this republic and the brother republics of Peru, Colombia, the United Mexican States, Guatemala, and the United Provinces of Rio de la Plata. These amicable relations are unalterable in their nature, and have the common welfare for their object.

The first of these republics has repeatedly received the most earnest pledges of the interest that Chili takes in her fate, especially when Chili, forgetful of her own difficulties, found means to lend to Peru, at a period of doubts and danger, that assistance which was unquestionably beyond the sphere of her duty, and only just within the limits of her power. It cannot be doubted that the Peruvian government is sensible of the obligation, and acknowledges it with gratitude, and that the very considerable claims of Chili upon that state will have a preference, when

our necessities are considered, and the heroic sacrifices by which they have been occasioned. For the purpose of liquidating these claims, as well as for obtaining the surrender, according to the international law of those intriguing persons who, in the very centre of that republic, are iniquitously employed in stirring up civil commotions and dissensions, which may have the injurious effects in this state, the mission of an envoy to the Peruvian government has become a measure of imperious necessity. The recent occurrences in Chiloe—the military insurrection at San Carlos, into which the garrison was betrayed by the most unheard-of perfidy—is one of the successful results of the dark intrigues of these factious incendiaries—a treachery the more scandalous and detestable, inasmuch as its odious fabricators have attempted to sanction their crime with the illustrious name of the Liberator of Colombia, to the great injury of his immortal name and glory. The government, in the mean time, has adopted the most active and vigorous measures for the re-establishment of public tranquillity in that quarter, an account of which will be given you by the minister of the corresponding department.

The decision of this assembly is also to be ascertained with respect to the invitation given to Chili by the republics of Peru and Colombia to join those states, and other republics, who, from the inferior condition of Spanish colonies, have elevated themselves to the rank of independant nations, in sending plenipotentiaries to the general congress assembled at Panama.

The plenipotentiaries of Peru



and Colombia have been on that spot since the 11th of December last, and those of Mexico and Guatemala must have joined them by this time. Although fully sensible of the great advantages to be derived from this confederation, I have not ventured to take upon myself the nomination of the embassy, reserving the decision of this most important matter to the national representation, now assembled. The principal motives that have induced the meeting of that congress, the basis of its proceedings, together with the rest of the documents relative thereto, will be submitted to your consideration by the minister of Foreign Affairs.

The circumstances under which the emperor of Brazil provoked an unjust and scandalous war with the United Provinces of the river Plate, obliged the government of that republic, through the medium of the minister plenipotentiary here, to demand certain explanations, to which, not conceiving I had sufficient authority, I have hitherto, abstained from giving any reply; the more so because it seemed to me expedient to avoid every opportunity of becoming involved in a compromise, which prudence, and the laws of strict neutrality, obliged me to evade. These also shall be submitted for your consideration.

Desiring to strengthen the friendship which binds Chili to the United States of North America, and to fulfil the obligation incurred by the generous conduct of that nation, which, disdaining the cold circumspection of European diplomacy, has solemnly acknowledged our independence, and maintained, from that moment, a minister plenipotentiary amongst us, I have named an agent, in-

vested with an equal power, to reside at that government. This resolution, founded on a just feeling of reciprocity is, as must be apparent, a testimony of our gratitude to that republic, the cradle of the liberty of the human race, and an object easier of admiration than of imitation to all nations.

The government of the low countries have named a consul in Valparaiso, with the view of cultivating commerce with Chili. This nation, governed by a prince who is a lover of liberal institutions, makes me presage that this is only the first step towards others of a friendly nature.

The like advantages may be expected from the enlightened policy of France, and from the disposition evinced in favour of the independent states of America; whose vessels are already permitted to enter their ports, and partake of the usual protection dispensed to friendly nations.

England, whose circumspect conduct with regard to Chili, has been caused principally by the spirit of detraction shewn by prejudiced foreign writers, or of sinister informers, for the promotion of selfish motives, having at length ascertained the true state of the interior of our country, will, I confidently hope, soon place us on a level with the united states of Mexico, Colombia, and the united provinces of the river Plate, and take such measures as are pointed out by the equity of her principles, and the maxims of sound policy which govern the proceedings of her government.

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(Signed)

RAMON FREIRE.



REPORT from the COMMITTEE of the SENATE of the UNITED STATES ;  
to whom was referred the MEMORIAL of the Merchants, Ship  
Owners, and Manufacturers of the City of BALTIMORE.

March 31, 1826.

The Memorialists state,—“That Great Britain, having lately opened the trade of her North American and West India colonies, insomuch that not only are almost all articles admitted, but the trade of those colonies is accessible to all parts of the world, on far more favourable terms than those now enjoyed by the merchants of the United States.” “They, therefore, submit the propriety of abolishing the discriminating duties of 94 cents per ton, on British colonial vessels, and of ten per cent additional, on the duties on their cargoes, and of admitting British vessels, from whatever ports, on the same terms as the vessels of the most favoured nation.”

In reference to which the committee remark, that, by the existing laws of the United States, a duty of fifty cents per ton as a tonnage duty, and fifty cents per ton as light money, is imposed on all foreign vessels entering the ports of the United States, with an addition of ten per centum on the amount of duties on the cargoes of all such vessels as belong to foreign powers, who do not admit the vessels of the United States into their ports on the same terms as their own vessels ; that a convention is now in operation between the United States and Great Britain, whereby the duties on the vessels and cargoes of the respective parties, so far as regards the commerce between the United States and the territories of Great Britain, in Europe, are equalised ; but that the provisions of this convention

do not extend to the British colonial possessions in America ; in consequence of which, British vessels arriving in the United States from those colonies pay the discriminating duties before mentioned, amounting on the vessel to one dollar per ton of its admeasurement ; while vessels belonging to the United States pay only six cents per ton, on entering our own ports ; but that these vessels, entering British colonial ports, are subject to a countervailing duty of 4s. 3d. sterling per ton, equal to ninety-four cents, being the difference in favour of American over British vessels, from the colonies, entering the ports of the United States.

This distinction it has long been the earnest desire of the government of the United States to annul, on the principle of a just reciprocity ; but although much discussion has been had on the subject, and many laws have been enacted in reference to it, by both parties, the desired result has not yet been accomplished.

By an act of Congress, of March 3, 1815, the discriminating duties on vessels and merchandize were proffered to be repealed in favour of any foreign nation which should, on its part, reciprocate the same provisions of law towards the United States.

By the convention of 1815 and 1818, this was done between the United States and the territories of Great Britain in Europe : and a reciprocal liberty of commerce was established between them, for the period of ten years, from the



last-mentioned date. This, however, produced no adequate relaxation of the British system in relation to her colonies, from which vessels of the United States continued to be excluded; in consequence a due degree of self-respect, on the part of the United States, gave rise to the passing of an act, in April 1818, by which the ports of the United States were closed to British vessels arriving from any port or place in any British territory, to which vessels owned by citizens of the United States were not admitted.

In May 1820, the act of April 1818 was extended, so as to embrace, and exclude from the ports of the United States, British vessels arriving in ports from Lower Canada, Nova Scotia, New Brunswick, Newfoundland, and all ports under the dominion of Great Britain, in the West Indies, and on the continent of America, which, from having been occasionally opened, were not considered as included in the act of April 1815.

But to enable the government of the United States, consistent in its principles, and always ready to verify its professions, to meet the overtures of any foreign nations on equal terms, in May 1822, an act was passed, authorising the president, on satisfactory evidence being given to him that the British colonial ports were opened to the vessels of the United States, to issue his proclamation, declaring the ports of the United States, opened to British vessels employed in that trade.

And in consequence of an act of parliament, of June 24th, 1822, admitting vessels of the United States into certain enumerated ports in the British colonies, still another law of Congress was

passed, March 1st, 1823, by which the ports of the United States were opened for vessels arriving therein from the said enumerated British ports, and from all others which were, or might be, opened thereafter, to the vessels of the United States; and the president was authorized to equalize the duties on such British vessels and their cargoes, on proof being given to him that no other, or higher rate of tonnage, or impost, and no other charges of any kind, were levied and exacted in the said British ports, on United States' vessels, than were paid by British vessels and merchandise imported into the said colonial ports, from elsewhere than the United States.

Since which time, several acts of parliament have been passed, having especial or incidental reference to the trade with the English American colonies, and under which, and the laws of the United States before recited, a commercial intercourse was opened, and has been prosecuted between the United States and certain British colonial ports; but to an extent not equal to the expectations that had been formed respecting it, nor, as it is contended, on terms of equality; the want of which, having given rise to discussions, if not dissatisfaction, between the parties engaged in it, it may be useful briefly to advert to.

On the part of the American government, it is alleged that a just reciprocity does not exist, inasmuch as the duties on American vessels and their cargoes, arriving at British colonial ports, are required to be discharged by an immediate prompt payment, and frequently at a great sacrifice, to acquire the means of doing it, while a credit is given for the



duties payable on British vessels and their cargoes arriving in the United States, from the colonies, of six and nine months; that bonds, with sureties, are required for the landing of the return cargo in a specified port in the United States, which are occasionally obtained with great difficulty by the owners or masters of the smaller American vessels engaged in the trade; that an export duty of 2 per cent is imposed on the return cargo, which cannot be countervailed in the United States; that vessels, arriving at a bad market, have, at times, not been allowed to seek a better, unless by a double payment of duties; while British vessels from the West Indies, seeking a favourable sale for their cargoes, may run along the whole coast of the United States, from New Orleans to Eastport; that onerous and heavy duties, and colonial fees, are exacted, amounting, as it is stated, in some instances, on small lumber-loaded vessels, to the value of the cargo—the latter of which is corroborated, in a degree, by Mr. Huskisson, in his speech in parliament, in March of the last year, in which he mentions the liability to abuse, and vexation, of the practices in this particular; and states that, in many instances, the fees alone, which are exacted upon a ship and cargo, amount to much more than all the public duties; and that important discriminating duty is imposed in the West-India market, on the flour, the bread, the stuffs, and the lumber of the United States, over that which is paid on the same articles when received from Canada, Nova Scotia, and New Brunswick; and which amounting, in many instances, to a full freight,

gives a decisive advantage to importations from the latter.

And although it is to be admitted, that some of these regulations are of a character so municipal as not to be legitimate objects of complaint, in reference to an international intercourse: yet they nevertheless do, in fact, contravene that just reciprocity on which it was to be presumed it would be the desire of both parties to place the trade between them.

While the British government, on this part, contends, as it is understood, that it is justified in requiring an abrogation of the discriminating duties, in consequence of its having partially opened its colonial ports for the importation of a limited number of articles from the United States; and that it has a right to make any municipal or local regulations it pleases. And, among others, that of admitting, free of duty, the produce of its colonies, however remotely situated, while it imposes an impost on articles of the same description from other countries; but allowing some plausibility to this reasoning, it is to be recollected, that the question at issue, between the two countries, is not so much one of abstract right, as of equality and reciprocity in entering into a commercial arrangement intended to promote the mutual advantage of both parties.

The foregoing present a brief synopsis of the measures which have been adopted since the year 1815, by the United States and Great Britain, relative to trade with the British colonies, and of the present state of it.

The recommendation of the memorialists now is: that the discriminating duties still imposed on



British vessels and merchandize from those colonies should be immediately abolished; and that British vessels, coming from whencesoever they may, and with whatsoever loaded, should be admitted into the ports of the United States, on the same terms as the vessels and cargoes of the most favoured nations.

The effect of which the committee believe would be summarily to yield to Great Britain all she could ask, without any equivalent accommodation being granted on her part. For, to admit British vessels indiscriminately into the ports of the United States, with their cargoes, from whencesoever arriving, or of whatsoever composed, on the same terms as our own vessels or those of the most favoured nations, which would be the same thing, while she allows the admission of American vessels into her ports only partially, for certain prescribed articles, and those limited to the growth, produce or manufacture of the United States, and to a manifest disadvantage, when compared with the like and the principal articles which she wants, when from elsewhere imported into the colonial ports, would operate as a surrender of the principle of equality, and a withdrawal from the control of the government of the United States, of the means it possesses of leading to a better and more desirable, because more equal, state of intercourse between the two countries.

From this view of the subject, and a cursory reference to the numerous acts which have been passed in relation to it, during the last ten years, both by the United States, and by Great Britain, evidence will at once be furnished of the complexity of the interests

connected with it, of the difficulty satisfactorily to arrange them, and especially of the inefficacy of isolated legislation for the attainment of this international object; and also affording, as the committee cannot but believe, a strong ground of preference for an arrangement being effected, if practicable, by a convention between the two governments, on a just and liberal basis, which, when agreed to, would be permanent and unalterable for the term of its duration, rather than to rely on detached, independent substantive acts of legislation, which, however well intended, are sometimes ambiguous, and liable to misconstruction by those who are called to administer them; and at all times, subject to revocation by the parties enacting them.

Of the inconvenience and inexpediency of substituting which the memorialists themselves furnish a strong proof in point, by the statement they make in their memorial, of the British ports of Halifax in Nova Scotia, and St. John's in New Brunswick, which were opened for the admission of vessels of the United States, by an act of parliament, of June 24, 1822, having, in January last, suddenly, and without notice, been closed against vessels of the United States in midwinter and on an extremely hazardous and inclement coast, under the construction of an act of parliament, of July, 1825, and which construction is now admitted, even by the British authorities themselves, to have been erroneous.

From all these views, which might be extended, and, from the committee having reason to believe that an adjustment of the commercial intercourse between the United States and the British colonial possessions, forms one of the special



and prominent objects, which have been committed to the minister of the United States at the court of London; that a corresponding desire to arrange it on a satisfactory footing appears to exist on the part of the British government, and that the negotiations respecting it are expected to come to a definite issue before the next session of congress; the committee, although fully agreeing with the memorial-

ists in the wish to cultivate and extend the trade in question, which they trust may be done to the mutual advantage of the parties concerned in it, are still unanimously of opinion that it is not expedient, at this time, to legislate on the subject, and therefore asked to be discharged from the further consideration of the memorial.

Which is respectfully submitted.

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MESSAGE of the PRESIDENT of the UNITED STATES.

To the Senate and House of Representatives of the United States.

Fellow-Citizens of the Senate and House of Representatives;—The assemblage of the Representatives of our Union, in both houses of Congress, at this time, occurs under circumstances calling for the renewed homage of our grateful acknowledgments to the Giver of all Good. With the exceptions incidental to the most felicitous condition of human existence, we continue to be highly favoured in all the elements which contribute to individual comfort, and national prosperity. In the survey of our extensive country, we have generally to observe abodes of health and regions of plenty. In our civil and political relations, we have peace without, tranquillity within, our borders. We are as a people, increasing with unabated rapidity in population, wealth, and national resources; and, whatever differences of opinion exist among us, with regard to the mode and the means by which we shall turn the beneficence of Heaven to the improvement of our own condition, there is yet a spirit animating us

all, which will not suffer the bounties of providence to be showered upon us in vain, but will receive them with grateful hearts, and apply them with unwearied hands, to the advancement of the general good.

Of the subjects recommended to the consideration of Congress, at their late session, some were then definitively acted upon. Others left unfinished, but partly matured, will recur to your attention, without needing a renewal of notice from me. The purpose of this communication will be, to present to your view the general aspect of our public affairs at this moment, and the measures which have been taken to carry into effect the intentions of the legislature, as signified by the laws then and heretofore enacted.

In our intercourse with the other nations of the earth, we have still the happiness of enjoying peace, and a general good understanding—qualified, however, in several important instances by collisions of interest, and by unsatisfied claims of justice, to the settlement of which, the constitutional interposition of the legis-



lative authority may become ultimately indispensable.

By the decease of the emperor Alexander of Russia, which occurred coterminously with the commencement of the last session of Congress, the United States have been deprived of a long tried, steady, and faithful friend. Born to the inheritance of absolute power, and trained in the school of adversity, from which no power on earth, however absolute, is exempt, that monarch, from his youth, had been taught to feel the force and value of public opinion, and to be sensible that the interests of his own government would best be promoted by a frank and friendly intercourse with this republic, as those of his people would be advanced by a liberal commercial intercourse with our country. A candid and confidential intercourse of sentiments between him and the government of the United States, upon the affairs of Southern America, took place at a period not long preceding his demise, and was contributed to by that course of policy which left to the other governments of Europe no alternative but that of sooner or later recognising the independence of our neighbours, of which the example had, by the United States, already been set. The ordinary diplomatic communications between his successor, the emperor Nicholas, and the United States, have suffered some interruption by the illness, departure, and subsequent decease of his minister residing here, who enjoyed, as he merited, the entire confidence of his new sovereign, as he had eminently responded to that of his predecessor. But we have had the most satisfactory assurances, that the sentiments of the reigning

emperor towards the United States are altogether conformable to those which have so long and constantly animated his imperial brother; and we have reason to hope that they will serve to cement that harmony and good understanding between the two nations, which, founded in congenial interests, cannot but result in advancement of the welfare and prosperity of both.

Our relations of commerce and navigation with France are, by the operation of the convention of 24th June 1822, with that nation, in a state of gradual and progressive improvement.—Convinced, by all our experience, no less than by the principles of fair and liberal reciprocity, which the United States have constantly tendered to all nations of the earth, as the rule of commercial intercourse which they would universally prefer, that fair and equal competition is most conducive to the interests of both parties, the United States, in the negotiation of that convention, earnestly contended for the mutual renunciation of discriminating duties and charges in the ports of the two countries. Unable to obtain the immediate recognition of this principle in its full extent, after reducing the duties of discrimination, as far as was found attainable, it was agreed that, at the expiration of two years from the 1st of October, 1826, when the convention was to go into effect, unless a notice of six months on either side should be given to the other, that the convention itself must terminate, those duties should be reduced by one-fourth; and that this reduction should be yearly repeated until all discrimination should cease, while the convention itself should continue in force. By the effect of this stipulation,



three-fourths of the discriminating duties which had been levied by each party upon the vessels of the other in its ports, have already been removed; and on the first of next October, should the convention be still in force, the remaining fourth will be discontinued. French vessels laden with French produce, will be received in our ports on the same terms as our own; and ours, in return, will enjoy the same advantages in the ports of France. By these approximations to an equality of duties and of charges, not only has the commerce between the two countries prospered, but friendly dispositions have been, on both sides, encouraged and promoted. They will continue to be cherished and cultivated on the part of the United States. It would have been gratifying to have had it in my power to add, that the claims upon the justice of the French government, involving the property and the comfortable subsistence of many of our fellow-citizens, and which have been so long and so earnestly urged, were in a more promising train of adjustment than at your last meeting; but their condition remains unaltered.

With the government of the Netherlands, the mutual abandonment of discriminating duties had been regulated by legislative acts on both sides. The act of congress of the 20th of April, 1818, abolished all discriminating duties of impost and tonnage, upon the vessels and produce of the Netherlands in the ports of the United States, upon the assurance given by the government of the Netherlands, that all such duties operating against the shipping and commerce of the United States, in that kingdom, had been abolished. These re-

ciprocal regulations had continued in force several years when the discriminating principle was resumed by the Netherlands in a new and indirect form, by a bounty of ten per cent in the shape of a return of duties to their national vessels, and in which those of the United States are not permitted to participate. By the act of congress of the 7th January, 1824, all discriminating duties in the United States were again suspended, so far as related to the vessels and produce of the Netherlands, so long as the reciprocal exemption should be extended to the vessels and produce of the United States in the Netherlands. But the same act provides, that, in the event of a restoration of discriminating duties, to operate against the shipping and commerce of the United States, in any of the foreign countries referred to therein, the suspension of discriminating duties in favour of the navigation of such foreign country should cease, and all the provisions of the acts imposing discriminating foreign tonnage and impost duties in the United States, should revive and be in full force with regard to that nation.

In the correspondence with the government of the Netherlands upon the subject, they have contended that the favour shown to their own shipping by this bounty upon their tonnage is not to be considered as a discriminating duty. But it cannot be denied that it produces all the same effects. Had the mutual abolition been stipulated by treaty, such a bounty upon the national vessels could scarcely have been granted consistently with good faith. Yet, as the act of congress of the 7th Jan. 1824, has not expressly authorised



the executive authority to determine what shall be considered as a revival of discriminating duties by a foreign government to the disadvantage of the United States ; and, as the retaliatory measure on our part, however just and necessary, may tend rather to that conflict of legislation which we deprecate, than to that concert to which we invite all commercial nations, as most conducive to their interest and our own, I have thought it more consistent with the spirit of our institutions to refer the subject again to the paramount authority of the legislature, to decide what measure the emergency may require, than abruptly, by proclamation, to carry into effect the minatory provision of the act of 1824.

During the last session of congress, treaties of amity, navigation, and commerce, were negotiated and signed at this place with the government of Denmark in Europe, and with the federation of central America in this hemisphere. These treaties then received the constitutional sanction of the Senate, by the advice and consent to their ratification. They were accordingly ratified on the part of the United States, and, during the recess of congress, have been also ratified by the other respective contracting parties. The ratifications have been exchanged, and they have been published by proclamations, copies of which are herewith communicated to congress. These treaties have established between the contracting parties the principles of equality and reciprocity in their broadest and most liberal extent: each party admitting the vessels of the other into its ports, laden with cargoes the produce or manufacture of any quarter

of the globe, upon the payment of the same duties of tonnage and impost that are chargeable upon their own. They have further stipulated that the parties shall hereafter grant no favour of navigation or commerce to any other nation, which shall not, upon the same terms, be granted to each other ; and that neither party will impose upon articles of merchandise, the produce or manufacture of the other, any other or higher duties than upon the like articles, being the produce or manufacture of any other country. To these principles there is, in the convention with Denmark, an exception, with regard to the colonies of that kingdom in the Arctic Seas, but none with regard to her colonies in the West-Indies.

In the course of the last summer, the term to which our last commercial treaty with Sweden was limited has expired. A continuation of it is in the contemplation of the Swedish government, and is believed to be desirable on the part of the United States. It has been proposed by the king of Sweden, that, pending the negotiation of renewal, the expired treaty should be mutually considered as still in force—a measure which will require the sanction of congress to be carried into effect on our part, and which I therefore recommend to your consideration.

With Prussia, Spain, Portugal, and, in general, all the European Powers, between whom and the United States, relations of friendly intercourse have existed, their condition has not materially varied since the last session of congress. I regret, not to be able to say the same of our commercial intercourse with the colonial possessions of Great Britain in America. Ne-



gotiations of the highest importance to our common interests have been for several years in discussion between the two governments; and, on the part of the United States, have been invariably pursued in the spirit of candour and conciliation. Interests of great magnitude and delicacy had been adjusted by the conventions of 1815 and 1818, while that of 1822, mediated by the late emperor Alexander, had promised a satisfactory compromise of claims, which the government of the United States, in justice to the rights of a numerous class of their citizens, was bound to sustain. But with regard to the commercial intercourse between the United States and the British colonies in America, it has been found hitherto impracticable to bring the parties to an understanding satisfactory to both. The relative geographical position, and the respective products of nature cultivated by human industry, had constituted the elements of a commercial intercourse between the United States and British America, insular and continental, important to the inhabitants of both countries. But it had been interdicted by Great Britain, upon a principle heretofore practised upon by the colonizing nations of Europe, of holding the trade of their colonies, each in exclusive monopoly to herself. After the termination of the late war, this interdiction had been revived, and the British government declined including this portion of our intercourse with her possessions in the negotiation of the convention of 1815. The trade was then carried on exclusively in British vessels, till the act of congress concerning navigation, of 1818, and the supplemental act of

1820, met the interdict by a corresponding measure on the part of the United States. Those measures, not of retaliation, but of necessary self-defence, were soon succeeded by an act of parliament, opening certain colonial ports to the vessels of the United States, coming directly from them, and to the importation from them of certain articles of our produce, burthened with heavy duties and excluding some of the most valuable articles of our exports. The United States opened their ports to British vessels from the colonies, upon terms as exactly corresponding with those of the act of parliament, as, in the relative position of the parties, could be made; and a negotiation was commenced by mutual consent, with the hope, on our part, that a reciprocal spirit of accommodation, and a common sentiment of the importance of the trade to the interests of the inhabitants of the two countries, between whom it must be carried on, would ultimately bring the parties to a compromise, with which both might be satisfied. With this view, the government of the United States had determined to sacrifice something of that entire reciprocity which in all commercial arrangements with Foreign Powers they are entitled to demand, and to acquiesce in some inequalities disadvantageous to ourselves, rather than to forego the benefit of a final and permanent adjustment of this interest to the satisfaction of Great Britain herself.

The negotiations, repeatedly suspended by accidental circumstances, were, however, by mutual agreement and express assent, considered as pending, and to be speedily resumed. In the mean time, another act of parliament, so



doubtful and ambiguous in its import as to have been misunderstood by the officers in the colonies who were to carry it into execution, opens again certain colonial ports, upon new conditions and terms, with a threat to close them against any nation which may not accept those terms, as prescribed by the British government. — This act passed in July, 1825, not communicated to the government of the United States, not understood by the British officers of the customs of the colonies where it was to be enforced, was nevertheless submitted to the consideration of congress, at their last session. With the knowledge that a negotiation upon the subject had long been in progress, and pledges given of its resumption at an early day, it was deemed expedient to await the result of that negotiation, rather than to subscribe implicitly to terms, the import of which was not clear, and which the British authorities themselves, in this hemisphere, were not prepared to explain.

Immediately after the close of the last session of congress, one of our most distinguished citizens was despatched as envoy extraordinary and minister plenipotentiary to Great Britain, furnished with instructions which we could not doubt would lead to a conclusion of this long controverted interest, upon terms acceptable to Great Britain. Upon his arrival, and before he had delivered the letters of credence, he was met by an order of the British council, excluding, from and after the first of December now current, the vessels of the United States from all the colonial British ports, excepting those immediately bordering upon our territories. In answer

to his expostulations upon a measure thus unexpected, he is informed that, according to the ancient maxims, of policy of European nations having colonies, their trade is an exclusive possession of the mother country ; that all participation in it by other nations, is a boon or favour not forming a subject of negotiation, but to be regulated by the legislative acts of the power owning the colony ; that the British government, therefore, declines negotiating concerning it ; and that, as the United States did not forthwith accept purely and simply the terms offered by the act of parliament of July, 1825, Great Britain would not now admit the vessels of the United States even upon the terms on which she has opened them to the navigation of other countries.

We have been accustomed to consider the trade which we have enjoyed with the British colonies, rather as an interchange of mutual benefits, than as a mere favour received ; and that, under every circumstance, we have given an ample equivalent. We have seen every other nation, holding colonies, negotiate with other nations, and grant them, freely, admission to the colonies by treaty ; and so far are the other colonizing nations of Europe now from refusing to negotiate the trade with their colonies, that we ourselves have secured access to the colonies of more than one of them by treaty. The refusal, however, of Great Britain to negotiate leaves to the United States no other alternative than that of regulating, or interdicting altogether, the trade on their part, according as either measure may affect the interest of our own country ; and, with that exclusive object, I would recommend



the whole subject to your calm and candid deliberation.

It is hoped that our unavailing exertions to accomplish a cordial good understanding on this interest, will not have an unpropitious effect upon the other great topics of discussion between the two governments. Our north-eastern and north-western boundaries are still unadjusted. The commissioners under the 7th article of the treaty of Ghent have nearly come to the close of their labours; nor can we renounce the expectation, enfeebled as it is, that they may agree upon their report to the satisfaction or acquiescence of both parties. The commission for liquidating the claims for indemnity for slaves carried away after the close of the war, has been sitting, with doubtful prospects of success. Propositions of compromise have, however, passed between the two governments, the result of which, we flatter ourselves, may yet prove satisfactory. Our own dispositions and purposes towards Great Britain are all friendly and conciliatory; nor can we abandon, but with strong reluctance, the belief that they will ultimately meet a return, not of favours, which we neither ask nor desire, but of equal reciprocity and good-will.

With the American governments of this hemisphere we continue to maintain an intercourse altogether friendly; and, between their nations and ours, that commercial interchange of which mutual benefit is the source, and mutual comfort and harmony the result, is in a continual state of improvement. The war between Spain and them, since the total expulsion of the Spanish military force from their continental territories, has been little more than nominal;

and their internal tranquillity, though occasionally menaced by the agitations which civil wars never fail to leave behind them, has not been affected by any serious calamity.

The congress of ministers from several of those nations which assembled at Panama, after a short session there, adjourned to meet again, at a more favourable season, in the neighbourhood of Mexico. The decease of one of our ministers on his way to the Isthmus, and the impediments of the season, which delayed the departure of the other, deprived us of the advantage of being represented at the first meeting of the congress. There is, however, no reason to believe that any of the transactions of the congress were of a nature to affect injuriously the interests of the United States, or to require the interposition of our ministers, had they been present. Their absence has, indeed, deprived us of the opportunity of possessing precise and authentic information of the treaties which were concluded at Panama; and the whole result has confirmed me in the conviction of the expediency of the United States being represented at the congress. The surviving member of the mission, appointed during your last session, has accordingly proceeded to his destination, and a successor to his distinguished and lamented associate will be nominated to the senate. A treaty of amity, navigation, and commerce, has, in the course of the last summer, been concluded by our minister plenipotentiary at Mexico, with the United States of that confederacy, which will also be laid before the Senate, for their advice, with regard to its ratification.



In adverting to the present condition of our fiscal concerns, and to the prospects of our revenue, the first remark that calls our attention is, that they are less exuberantly prosperous than they were at the corresponding period of the last year. The severe shock so extensively sustained by the commercial and manufacturing interests in Great Britain, has not been without a perceptible recoil upon ourselves. A reduced importation from abroad is necessarily succeeded by a reduced return to the Treasury at home. The nett revenue of the present year will not equal that of the last, and the receipts of that which is to come will fall short of those in the current year. The diminution, however, is in part attributable to the flourishing condition of some of our domestic manufactures, and so far is compensated by an equivalent more profitable to the nation. It is, also, very gratifying to perceive, that the deficiency in the revenue, while it scarcely exceeds the anticipations of the last year's estimates from the Treasury, has not interrupted the application of more than eleven millions during the present year, to the discharge of the principle and interest in the debt, nor the reduction of upwards of seven millions of the capital debt itself. The balance of the Treasury on the 1st of January last, was five millions two hundred and one thousand six hundred and fifty dollars and forty-three cents. The receipts from that time to the 30th of September last, were nineteen millions five hundred and eighty-five thousand nine hundred and thirty-two dollars and fifty cents. The receipts of the current quarter, estimated at six millions of dollars, yield, with the sums already re-

ceived, a revenue of about twenty-five millions and a half for the year—the expenditures for the three first quarters of the year have amounted to eighteen millions seven hundred and fourteen thousand two hundred and twenty-six dollars and sixty-six cents—the expenditures of the current quarter are expected, including the two millions of the principal debt to be paid, to balance the receipts; so that the expenses of the year, amounting to upwards of a million less than its income, will leave a proportionally increased balance in the Treasury, on the 1st of January, 1827, over that of the 1st of January last. Instead of five millions two hundred thousand, there will be six millions four hundred thousand dollars.

The amount of duties secured on merchandise imported from the commencement of the year until the 30th of September, is estimated at twenty-one millions two hundred and fifty thousand dollars, and the amount that will probably accrue during the present quarter, is estimated at four millions two hundred and fifty thousand, making for the whole year twenty-five millions and a half, from which the drawbacks being deducted, will leave a clear revenue from the customs, receivable in the year 1827, of about twenty millions four hundred thousand dollars, which, with the sums to be received from the proceeds of public lands, the Bank dividends, and other incidental receipts, will form an aggregate of about twenty-three millions, a sum falling short of the whole expenses of the present year, little more than the portion of those expenditures applied to the discharge of the public debt, beyond the annual appropriation of



ten millions, by the act of 3rd March, 1817. At the passage of that act, the public debt amounted to one hundred and twenty-three millions and a half. On the 1st of January next, it will be short of seventy-four millions. In the lapse of these ten years, fifty millions of public debt, with the annual charge of upwards of three millions of interest upon them, have been extinguished. At the passage of that act of the annual appropriation of ten millions, seven were absorbed in the payment of interest, and not more than three millions went to reduce the capital of the debt. Of the same ten millions, at this time scarcely four are applicable to the interest, and upwards of six are effective in melting down the capital. Yet our experience has proved that a revenue, consisting so largely of imposts and tonnage, ebbs and flows to an extraordinary extent, with all the fluctuations incident to the general commerce of the world. It is within our recollection that even in the compass of the same last ten years, the receipts of the Treasury were not adequate to the expenditures of the year; and that in two successive years, it was found necessary to resort to loans to meet the engagements of the nation. The returning tides of the succeeding years replenished the public coffers, until they have again begun to feel the vicissitudes of a decline. To produce these alterations of fulness and exhaustion, the relative operation of abundant or of unfruitful seasons, the regulations of foreign governments, political revolutions, the prosperous or decaying condition of manufactures, commercial speculations, and many other causes, not always to be traced, variously

combine. We have found the alternate swells and diminutions embracing periods of from two to three years. The last period of depression to us was from 1819 to 1822. The corresponding revival was from 1823 to the commencement of the present year. Still we have no cause to apprehend a depression comparable to that of the former period, or even to anticipate a deficiency which will intrench upon the ability to apply the annual ten millions to the reduction of the debt. It is well for us, however, to be admonished of the necessity of abiding by the maxims of the most vigilant economy, and of resorting to all honourable and useful expedients, for pursuing with steady and inflexible perseverance the total discharge of the debt.

Besides the seven millions of the loans of 1813, which will have been discharged in the course of the present year, there are nine millions which, by the terms of the contracts, would have been and are now redeemable. Thirteen millions more of the loan of 1814 will become redeemable from and after the expiration of the present month; and nine other millions from and after the close of the ensuing year. They constitute a mass of thirty-one millions of dollars, all bearing an interest of six per cent, more than twenty millions of which will be immediately redeemable, and the rest within little more than a year. Leaving of this amount fifteen millions to continue at the interest of six per cent, but to be, as far as shall be found practicable, paid off in the years 1827 and 1828, there is scarcely a doubt that the remaining sixteen millions might, within a few months, be discharged by a



loan at not exceeding five per cent, redeemable in the years 1829 and 1830. By this operation a sum of nearly half a million of dollars may be saved to the nation; and the discharge of the whole thirty-one millions, within the four years, may be greatly facilitated, if not wholly accomplished.

By an act of congress of the 3rd March, 1825, a loan, for the purpose now referred to, or a subscription to stock, was authorised, at an interest not exceeding four and a half per cent. But at that time so large a portion of the floating capital of the country was absorbed in commercial speculations, and so little was left for investment in the stocks, that the measure was but partially successful. At the last session of congress the condition of the funds was still unpropitious to the measure; but the change so soon afterwards occurred, that, had the authority existed to redeem the 9,000,000 now redeemable, by an exchange of stock, or a loan at five per cent, it is morally certain that it might have been effected, and with it a yearly saving of 90,000 dollars.

With regard to the collection of revenue of impost, certain occurrences have, within the last year, been disclosed in one or two of our principal ports, which engaged the attention of congress at their last session, and may hereafter require further consideration. Until within a very few years, the execution, of the laws for raising the revenue, like that of all other laws, has been insured more by the moral sense of the community, than by the rigours of a zealous precaution, or by penal sanctions. Confiding in the exemplary punctuality and unsullied integrity of our importing mer-

chants, a gradual relaxation from the provision of the collection laws, a close adherence to which would have caused inconvenience and expense to them, had long become habitual; and indulgences had been extended universally because they had never been abused. It may be worthy of your serious consideration, whether some further legislative provision may not be necessary to come in aid of this state of unguarded security.

From the reports herewith communicated of the Secretaries of war and of the navy, with the subsidiary documents annexed to them, will be discovered the present condition and administration of our military establishment on the land and sea. The organization of the army having undergone no change since its reduction to the present peace establishment in 1821, it remains only to observe, that it is found adequate to all the purposes for which a permanent armed force in time of peace can be needed, or useful. It may be proper to add, that, from a difference of opinion between the late president of the United States and the senate, with regard to the construction of the act of congress of 2d March, 1821, to reduce and fix the military peace establishment of the United States, it remains hitherto so far without execution, that no colonel has been appointed to command one of the regiments of artillery. A supplementary or explanatory act of the legislature appears to be the only expedient practicable for removing the difficulty of this appointment.

In a period of profound peace, the conduct of the mere military establishment forms but a very inconsiderable portion of the duties devolving upon the administration of the department of war. It will



be seen by the returns from the subordinate departments of the army, that every branch of the service is marked with order, regularity, and discipline ; that, from the commanding general, through all the gradations of superintendence, the officers feel themselves to have been citizens before they were soldiers, and that the glory of a republican army must consist in the spirit of freedom by which it is animated, and of patriotism by which it is impelled. It may be confidently stated, that the moral character of the army is in a state of continual improvement, and that all the arrangements for the disposal of its parts have a constant reference to that end.

But to the war department are attributed other duties, having indeed relation to a future possible condition of war, but being purely defensive, and in their tendency contributing rather to the security and permanency of peace:—the erection of the fortifications provided for by congress, and adapted to secure our shores from hostile invasions—the distribution of the fund of public gratitude and justice to the pensioners of the revolutionary war—the maintenance of our relations of peace and of protection with the Indian tribes—and the internal improvements and surveys for the location of roads and canals which during the last three sessions of Congress have engaged so much of their attention, and may engross so large a share of their future benefactions to our country.

By the act of the 30th of April, 1824, suggested and approved by my predecessor, the sum of thirty thousand dollars was appropriated for the purpose of causing to be made the necessary surveys, plans,

and estimates, of the routes of such roads and canals as the president of the United States might deem of national importance, in a commercial or military point of view, or necessary for the transportation of the public mail, the surveys, plans, and estimates, for each, when completed, to be laid before congress.

In execution of this act a board of engineers was immediately instituted, and have been since most assiduously and constantly occupied in carrying it into effect. The first object to which their labours were directed, by order of the late president, was the examination of the country between the tide waters of the Potomac, the Ohio, and Lake Erie, to ascertain the practicability of a communication between them, to designate the most suitable route for the same, and to form plans and estimates, in detail, of the expense of execution.

On the 3rd of February, 1825, they made their first report, which was immediately communicated to congress, and in which they declared that, having maturely considered the circumstances observed by them personally, and carefully studied the results of such of the preliminary surveys as were then completed, they were decidedly of opinion that the communication was practicable.

At the last session of congress, before the Board of Engineers were enabled to make up their second report, containing a general plan and preparatory estimate for the work, the committee of the House of Representatives upon roads and canals closed the session with a report, expressing the hope that the plan and estimate of the Board of Engineers might at this time be prepared, and that the subject be



referred to the early and favourable consideration of congress at their present session.—That expected report of the Board of Engineers is prepared, and will forthwith be laid before you.

Under the resolution of congress, authorising the secretary of war to have prepared a complete system of cavalry tactics of the United States, to be reported to congress at the present session, a board of distinguished officers of the army and of the militia has been convened, whose report will be submitted to you, with that of the secretary of war. The occasion was thought favourable for consulting the same board, aided by the results of a correspondence with the governors of the several states and territories, and other citizens of intelligence and experience, upon the acknowledged defective condition of our militia system, and upon the improvements of which it is susceptible. The report of the Board upon this subject is also submitted for your consideration.

In the estimates of appropriations for the ensuing year, upwards of five millions of dollars will be submitted for the expenditures to be paid from the department of war. Less than two-fifths of this will be applicable to the maintenance and support of the army. A million and a half in the form of pensions, goes as a scarcely adequate tribute to the services and sacrifices of a former age; and a more than equal sum, invested in fortifications, or for the preparations of internal improvement, provides for the quiet, the comfort, and the happier existence of the ages to come. The appropriations to indemnify those unfortunate remnants of another race, unable alike to share in the enjoyments, and to exist in the

presence of civilization, though swelling in recent years to a magnitude burthensome to the Treasury, are generally not without their equivalents, in profitable value; or serve to discharge the union from engagements more burthensome than debt.

In like manner, the estimate of appropriations for the Navy Department will present an aggregate sum of upwards of three millions of dollars. About one half of these, however, cover the current expenditures of the Navy in actual service, and one-half constitutes a fund of national property, the pledge of our future glory and defence. It was scarcely one short year after the close of the late war, and when the burthen of its expenses and charges was weighing heaviest upon the country, that congress, by act of 29th April, 1816, appropriated one million of dollars annually for eight years to the gradual increase of the navy. At a subsequent period, this annual appropriation was reduced to half a million for six years, of which the present year is the last. A yet more recent appropriation, the last two years, for building ten sloops of war, has nearly restored the original appropriation of 1816, of a million for every year. The result is before us all. We have twelve line of battle ships, twenty frigates, and sloops of war in proportion, which, with a few months of preparation, may present a line of floating fortifications along the whole range of our coast, ready to meet any invader who might attempt to set foot upon our shores. Combining with a system of fortifications upon the shores themselves, commenced about the same time under the auspices of my immediate predecessor, and hitherto



systematically pursued, it has placed in our possession the most effective sinews of war, and has left us at once an example and a lesson from which our own duties may be inferred. The gradual increase of the navy was the principle of which the act of 29th April, 1816, was the first development. It was the introduction of a system to act upon the character and history of our country for an indefinite series of ages. It was a declaration of that congress to their constituents and to posterity, that it was the destiny and the duty of these confederated states, to become, in regular process of time, and by no petty advances, a great naval power. That which they proposed to accomplish in eight years, is rather to be considered as the measure of their means, than the limitation of their design. They looked forward for a term of years sufficient for the accomplishment of a definite portion of their purpose: and they left to their successors to fill up the canvass of which they had traced the large and prophetic outline. The ships of the line, and frigates, which they had in contemplation, will be shortly completed. The time which they had allotted for the accomplishment of the work has more than elapsed. It remains for your consideration how their successors may contribute their portion of toil and of treasure for the benefit of the succeeding age, in the gradual increase of our navy. There is, perhaps, no part of the exercise of the constitutional powers of the federal government, which has given more general satisfaction to the people of the union, than this. The system has not been thus vigorously introduced, and hitherto sustained, to be now de-

parted from or abandoned. In continuing to provide for the gradual increase of the navy, it may not be necessary or expedient to add for the present any more to the number of our ships; but should you deem it advisable to continue the yearly appropriation of half a million to the same objects, it may be profitably expended, in providing a supply of timber to be seasoned, and other materials for future use; in the construction of docks, or in laying the foundation of a school for naval education, as, to the wisdom of congress, either of those measures may appear to claim the preference.

Of the small portions of this navy engaged in actual service during the peace, squadrons have continued to be maintained in the Pacific Ocean, in the West-India seas, and in the Mediterranean; to which has been added a small armament, to cruize on the eastern coast of South America. In all, they have afforded protection to our commerce, have contributed to make our country advantageously known to foreign nations, have honourably employed multitudes of our seamen in the service of their country, and have inured numbers of youths of the rising generation to lives of manly hardihood, and of nautical experience and skill. The piracies with which the West-India seas were for several years infested, have been totally suppressed; but, in the Mediterranean, they have increased in a manner afflictive to other nations, and but for the continual presence of our squadron, would probably have been distressing to our own. The war which has unfortunately broken out between the republic of Buenos Ayres and the Brazilian govern-



ment, has given rise to very great irregularities among the naval officers of the latter, by whom principles in relation to blockades, and to neutral navigation, have been brought forward, to which we cannot subscribe, and which our own commanders have found it necessary to resist. From the friendly disposition towards the United States, constantly manifested by the emperor of Brazil, and the very useful and friendly commercial intercourse between the United States and his dominions, we have reason to believe that the just reparation demanded for the injuries sustained by several of our citizens from some of his officers, will not be withheld. Abstracts from the recent despatches of the commanders of our several squadrons are communicated with the report to the secretary of the navy to congress.

A report from the postmaster general is likewise communicated, presenting, in a highly satisfactory manner, the result of a vigorous, efficient, and economical, administration of that department. The revenue of the office, even of the year including the latter half of 1824, and the first half of 1825, had exceeded its expenditures by a sum of more than 45,000 dollars. That of the succeeding year has been still more productive. The increase of the receipts, in the year preceding the 1st of July last, over that of the year before, exceeds 186,000 dollars, and the excess of the receipts over the expenditures of the year has swollen from 45,000 dollars to nearly 80,000 dollars. During the same period, contracts for additional transportation of the mail, in stages, for about 260,000 miles, have been made, and for 70,000 miles, annually, on horse-

back. Seven hundred and fourteen new post offices have been established within the year; and the increase of revenue within the last three years, as well as the augmentation of the transportation by mail, is more than equal to the whole amount of the receipts, and of mail conveyance, at the commencement of the present century, when the seat of the general government was removed to this place. When we reflect that the objects effected by the transportation of the mail are among the choicest comforts and enjoyments of social life, it is pleasing to observe, that the dissemination of them to every corner of our country, has outstripped in their increase even the rapid march of our population.

By the treaties with France and Spain, respectively ceding Louisiana and the Floridas to the United States, provision was made for the security of land titles derived from the governments of those nations. Some progress has been made, under the authority of various acts of congress, in the ascertainment and establishment of those titles: but claims to a very large extent remain unadjusted. The public faith, no less than the just rights of individuals, and the interest of the community itself, appears to require further provision for the speedy settlement of these claims, which I, therefore, recommend to the care and attention of the legislature.

In conformity with the provisions of the act of 20th May last, to provide for erecting a Penitentiary in the district of Columbia, and for other purposes, three commissioners were appointed to select a site for the erection of a Penitentiary for the district, and also



a site in the county of Alexandria for a county jail; both of which objects have been effected. The building of the penitentiary has been commenced, and is in such a degree of forwardness, as to promise that it will be completed before the meeting of the next congress. This consideration points to the expediency of maturing, at the present session, a system for the regulation and government of the penitentiary, and of defining the class of offences which shall be punishable by confinement in this edifice.

In closing this communication, I trust that it will not be deemed inappropriate to the occasion and purposes upon which we are here assembled, to indulge a momentary retrospect, combining, in a single glance, the period of our origin as a national confederation with that of our present existence, at the precise interval of half a century from each other. Since your last meeting at this place, the fiftieth anniversary of the day when our independence was declared has been celebrated throughout our land; and on that day, when every heart was bounding with joy, and every voice was tuned to gratulation, amid the blessings of freedom and independence, which the sires of a former age had handed down to their children, two of the principal actors in that solemn scene—the hand that penned the

ever-memorable declaration, and the voice that sustained it in debate—were, by one summons, at the distance of 700 miles from each other, called before the Judge of All, to account for their deeds done upon earth. They departed, cheered by the benedictions of their country, to whom they left the inheritance of their fame, and the memory of their bright example. If we turn our thoughts to the condition of their country, in the contrast of the first and last day of that half century, how resplendent and sublime is the transition from gloom to glory! Then, glancing through the same lapse of time in the condition of the individuals, we see the first day marked with the fulness and vigour of youth, in the pledge of their lives, their fortunes, and their sacred honour, to the cause of freedom and of mankind; and on the last, extended on the bed of death, with but sense and sensibility left to breathe a last aspiration to Heaven of blessing upon their country; may we not humbly hope that to them, too, it was a pledge of transition from gloom to glory; and that while their mortal vestments were sinking into the clod of the valley, their emancipated spirits were ascending to the bosom of their God.

JOHN QUINCY ADAMS.

*Washington, Dec. 5, 1826.*



## HISTORY AND BIOGRAPHY.

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### MEMOIRS of the RIGHT HON. ROBERT LORD GIFFORD.

**L**ORD GIFFORD was born at Exeter, on the 24th of February, 1779. His father, who was a dealer in hops, grocery, and drapery, was twice married, and had by his second marriage four children, of whom Robert Gifford was the youngest.

Robert received his education at a school at Alphington, near Exeter, kept by Dr. Halloran, a man remarkable for his talents, and for his misapplication of them. From early youth Robert Gifford evinced a great inclination for the profession of the law; and, when he had attained the age of sixteen, he was articulated by his father to Mr. Jones, a respectable attorney of Exeter, in whose office he remained the usual period. Mr. Gifford became a great favourite with Mr. Jones; and, towards the latter part of his clerkship, in consequence of Mr. Jones's ill health, the chief management of the business devolved upon him. It is probable that Mr. Gifford had been induced to entertain expectations of being taken into partnership by Mr. Jones at the expiration of the term of his articles; but the arrival of Mr. Jones's nephew from London, to assume

the management of his uncle's office, put an end to these hopes.

Under the will of his father, who died during the second year of his clerkship, he had become entitled to some property, not, however, by any means adequate to meet those heavy and unavoidable expenses which must be contemplated by every young man who determines upon making the bar his profession. But his brothers declared, that he should not want any assistance which they could furnish, in the pursuit of his favourite object. Thus assured, Mr. Gifford entered himself as a student at the Middle Temple in 1800.

On his first coming to London, Mr. Gifford was two years a pupil with Mr. Robert Bayly, then practising as a special pleader, and who is at present one of the barristers belonging to the western circuit. In 1803, he began to practise as a special pleader himself; his chambers being in Essex-court, in the Temple. Although unaided by any powerful connection, yet his knowledge and his unremitting attention, gradually brought him into extensive practice.

On the 12th of February, 1808,



Mr. Gifford was called to the bar ; where his abilities, and the assiduity with which he devoted himself to the acquisition of legal learning, soon attracted notice. He joined the western circuit, and the Exeter and Devon sessions, where he almost immediately got into considerable business ; and, both on the circuit and in London, he was steadily making progress towards distinction, when one of those fortunate circumstances, which sometimes occur, brought his talents into full play, and drew upon him the attention of the public. He was retained to argue a case of *Mogg versus Mogg*, in the court of King's-bench, involving some points connected with the law of real property ; and, on the argument, he exhibited so profound a knowledge, and so much readiness in the application of it, that he attracted the attention of the late lord Ellenborough, then chief justice of the court of King's-bench, who invited him to his house, and to whose strong recommendation, added to that of the late learned and venerable sir James Mansfield, chief justice of the court of Common Pleas, he was principally indebted for his early and sudden advancement.

Soon after this event, another case occurred in which he added to the reputation he had already acquired, and proved that his talents for dealing with numerous and complicated facts were at least equal to his accurate knowledge of law. A commission of lunacy having been issued against a gentleman of the name of Baker, at the instance of his brother and sister, Mr. Gifford was retained for the latter ; and during an investigation, which lasted nine days, at the Castle at Exeter, and in which he

had to contend with the late Mr. Dauncy, one of the ablest advocates of his day, and Mr. Abbott, the present lord chief justice of the court of King's-bench (who were brought down specially on that occasion), Mr. Gifford exhibited powers of argument of the highest order.

On the 9th of May, 1817, he was appointed solicitor-general. On the 16th of the same month he was elected one of the masters of the bench by the society of the Middle Temple, and, shortly after, took his seat in parliament, for the borough of Eye, in Suffolk. After this, he left the court of King's-bench, in order to practise in Chancery, which he continued to do till his elevation to the Bench in 1824. During this period he became the principal leader in the appeals to the House of Lords, and acquired that intimate knowledge of Scotch law which he afterwards employed in so useful a manner for the country in his capacity of Deputy Speaker of the House of Lords. The rapidity with which he mastered, not merely the principles, but in a great measure the details, of that law, excited the surprise of many of the most eminent of its professors, of whose applause, as he felt its value, he was most justly proud.

On the resignation of sir Vicary Gibbs, Mr. Gifford was chosen by the corporation of Bristol to be their recorder ; an office which has never been held but by persons of the highest degree of legal merit. The duties of this station Mr. Gifford discharged highly to the satisfaction of the corporation ; and he was requested by them to sit to sir Thomas Lawrence for a whole-length portrait, to be placed in the town-hall of the city of Bristol.



The picture was not finished when lord Gifford died ; but it was sufficiently advanced to insure its becoming one of the most faithful and animated performances of the most accomplished of our artists.

While sir Robert Gifford was solicitor-general, he distinguished himself on the trial of Dr. Watson, in June, 1817, and also at the trials under the special commission at Derby, in October of the same year. On the first of those trials, his old and firm friend sir James Mansfield attended in the court of King's-bench, purposely to hear his reply ; and expressed his high gratification on the occasion.

In July 1819, on sir Samuel Shepherd's being appointed chief baron of the Exchequer in Scotland, sir Robert Gifford succeeded him as attorney-general. In this important office, he was so cautious to avoid prosecuting, except in cases in which he felt confident that conviction must be the result, that, we believe, not a single instance occurred of any failure on the part of the crown during his continuance in office.

In the latter end of April, 1820, sir Robert Gifford prosecuted to conviction the conspirators in the "Cato-street plot."

In the autumn of the same year, the bill of pains and penalties against the late queen Caroline, was introduced into the House of Lords : and to the attorney and solicitor-general, sir Robert Gifford, and sir John Copley, its prosecution was intrusted. In the performance of this important duty, sir Robert Gifford betrayed no asperity, nor evinced any eagerness to criminate the royal personage. Throughout the whole of the proceedings, he adhered strictly to the pledge which he gave in opening

the case. "My lords," said he, "upon the nature of this charge, or upon the importance of this investigation, it is quite unnecessary for me to enlarge. Your lordships, and every individual in the country, are fully capable of estimating these topics in their proper light. The only consolation which I derive under the discharge of the duty which I have now to fulfil, is, that it calls not upon me to address myself to your lordships' passions or feelings ; and that I shall best discharge it, according to your lordships' command, by abstaining from any observation which might tend to aggravate the charge made against so illustrious a person."

Although sir Robert Gifford was not a very frequent speaker in the House of Commons, he took an active part in most of those debates which had reference to topics connected with his professional habits, and official duties.

The year 1824 was a year rich in honours to sir Robert Gifford. On the resignation of sir Robert Dallas, he was, on the 8th of January appointed to the office of chief justice of the court of Common Pleas. He also received from the university of Cambridge the compliment of an honorary degree of M. A. There being at this time a great arrear of business in the appellate jurisdiction of the House of Lords, it was determined by the cabinet that sir Robert Gifford, whose acquaintance with the laws of Scotland was well known, should, in addition to the office of chief justice of the court of Common Pleas, be appointed Deputy Speaker of the House of Lords, and assist the lord chancellor in hearing and determining the appeals from Scotland. Accordingly he was created a peer, by the title of Baron Gif-



ford, of St. Leonard's, in the county of Devon ; his patent being dated January 28, 1824, with a limitation of the honours to his issue male. The arrangement which took place upon this occasion was as follows : the lord chancellor attended the House of Lords on Mondays and Thursdays, to hear writs of error, and English and Irish appeals ; and lord Gifford presided on Tuesdays, Wednesdays, and Fridays, for the determination of appeals from Scotland. During that and the two succeeding sessions of parliament, he devoted himself gratuitously to the assiduous discharge of his new and important duties.

Sir Thomas Plumer, the Master of the Rolls, dying on the 25th of March, 1824, lord Gifford, on the 5th of April following, was appointed Master of the Rolls. This caused a great increase of labour to him ; for it became a part of his duty to dispose of the numerous appeals brought under the consideration of the privy-council.

But all this was done at the expense of health and strength. During almost the whole period of this laborious exertion, those who were nearly and intimately connected with him, experienced the utmost anxiety on his account. The friends who watched him, in that severe depression of spirits which over-fatigue and over-anxiety produced, can best estimate how little, in all this time of apparent prosperity, lord Gifford was an object of envy. At the very moment of a most wanton and bitter attack, in which (most disgraceful to him who uttered it, and to the assembly who listened patiently to it) it was stated in parliament, with the impudent confidence of ignorance, that the

Rolls was all but a sinecure,\* medical men, who attended the Master of the Rolls, expressed their deliberate opinion, that over-fatigue was undermining his constitution.

Exhausted by his anxious and unremitting exertions, lord Gifford, accompanied by his family, left London on the 23rd of August, 1826, for a house which he had taken on the Marine Parade, at Dover. He was at that time suffering under a severe bilious attack. On Saturday, the 2nd of September, symptoms of inflammation of the bowels appeared ; on the next day, he became much worse, and, notwithstanding every effort that could possibly be made by his medical attendants, Dr. Macarthur and Mr. Sankey, at a little after six o'clock on the morning of Monday, the 4th of September, this valuable man breathed his last, to the inconsolable grief of his friends, and the sincere regret of the public at large.

In person, lord Gifford was well-proportioned, and of about the middle stature. His aspect was mild ; his eye was quick and intelligent ; his general manner and address calm, frank, and engaging.

Lord Gifford married, April 6, 1816, Harriet-Maria, one of the daughters of the Rev. Edward Drewe, of Broad Hembury, near Honiton, in the county of Devon, the descendant of a highly respectable family (long resident at their seat called Grange, in that parish), which has repeatedly furnished high sheriffs for the county. By this marriage he had issue, while living, three sons, Robert-Francis (his successor), born March 19th 1817, John, and Edward-Scott ; and three daughters, Charlotte-

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\* See Ann. Reg. vol. lxxvii. p. 86.



Dorothy, Harriett-Jane, and Caroline ; and lady Gifford gave birth to another son, on the 4th of No-

vember, about nine weeks after lord Gifford's death.

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### ACCOUNT of LADY HESTER STANHOPE.

[*From Carne's Letters from the East.*]

AT about an hour and a half's ride from the town of Sidon is the residence of lady Hester Stanhope. It is situated on the top of a hill, and called Marilius, from the convent of that name that formerly stood there, and out of part of which, with her own additions, she has constructed her present mansion. There are few trees round it, and it is very exposed : in the back-ground are ranges of barren hills ; the prospect beneath, of the gardens of Sidon and the bay, is magnificent.

This extraordinary woman no longer possesses the daring and chivalric spirit which led her to Palmyra and other perilous parts of the East. She is now become very nervous, and has for some time put great faith in nativities, and the productions of a venerable Arabian, who passes for an astrologer or magician, and often visits Marilius. Her habits of life have long been, not to retire to rest till five in the morning, and to rise at two in the afternoon, and eat scarcely any animal food ; but her house contains a good store of choice wines, and the various conserves of the East. Although she sits on the floor, and eats with her fingers, her visitor is indulged with a table, knife, and fork, and a variety of dishes. Her household consists of three-and-twenty Arab servants of both sexes, as her English ones have long since been dis-

missed. She scarcely ever rides now, although she has a stud of twelve fine Arabian horses. In conversation, as a friend of hers who several times visited her assured me, she is very agreeable ; but it must be during the witching hours of night, when her ladyship loves most to converse. Arabic she speaks pretty well, and with the natives and manners of the East she is of course thoroughly acquainted. Among Turkish women, she says, she has met many admirable and attractive characters, but among the Greeks not a single one. Woe be to the woman of her own nation who should reside for a short time at Marilius ! she must expect to submit to all the seclusion of the land, as, if any sheik or Turk comes to the house, she must not only shun his presence, but be sure not to let a glimpse of her face be seen : no infringement on Eastern etiquette can ever be allowed there.

The influence this lady has over the surrounding pachas and governors is truly singular. A merchant from Smyrna was returning from Damascus to Beirout with some camel loads of silk : they were stopped in the way by the pacha of Acre, who intended to use no ceremony in making them his own. The merchant was in partnership in this concern with a rich Moor at Beirout, who was intimately known to her ladyship,



and immediately wrote to her requesting her interference. She sent a note to the pacha, and an order was speedily transmitted to his soldiers to set the camels and their cargo at liberty.

Lady Stanhope lived at Damascus for twelve months in a handsome house in the suburbs; and often, when she rode out in her Mameluke dress, the people would flock around her in admiration. When on her journey to Palmyra, she was pursued by a hostile tribe of Arabs for a whole day; and on the day when the Palmyrenes hailed her as the queen of the ruined city, she felt, no doubt, vivid and undissembled pleasure, being the first lady who had ever achieved such a journey; and her excellent horsemanship and capability of enduring fatigue, soon made the deserts a home to her. The Orientals never speak of her but with the highest respect. It is certain that a belief is entertained of her being of the highest rank: some even say she is a queen. She distributes occasionally presents of rich arms to the chiefs; and, when an Arab courser is sent her, frequently rewards the bearer with a thousand piastres. She is generous, hospitable, and undoubtedly of that superior and commanding mind, which is sure to gain an ascendancy among the Orientals. Yet it is difficult to discover any attractions in her present way of life at Marilius. The romance and delight of exploring the East, and seeing its natives bow down to her, have long since given place to timid and secluded habits and feelings, and the dreams of superstition. She is, however, firmly resolved never to return to her native country; her avowed contempt for her own sex, and

their effeminate habits and feelings, is not likely to conciliate them.

Although she refuses, from the real or supposed ill treatment of one or two English travellers, to see any of her countrymen, she has more than once been their benefactor. On one occasion she presented a traveller at Damascus with two thousand piastres, whose money had failed him in a journey from India. When an unfortunate Frenchman, a man of science, was shot by some Arabs from behind the rocks, as he was sketching a scene in some of the mountains in the interior at a considerable distance, she was at a great expense in recovering his papers and books for his relations, and procuring for them every intelligence.

Her residence in this country was entirely the effect of accident: the vessel in which she sailed being shipwrecked on the coast, she was so much struck with the beauty of the country and climate, as to resolve to make it her residence. Had she foreseen that a few years would rob her of her hardihood of body and daring of mind, and confine her, nervous and dispirited, to the solitude of Marilius, she surely would never have made it her place of refuge. What resting-place can such a spot be for her powerful mind, that once took part in the highest councils of the state, during her residence with her uncle, and exercised, it is said, no small influence on the destinies of Europe? It was perhaps the total change in her situation caused by the death of that great minister—the passing from his society and confidence to that of other spirits, who assimilated but little with her own masculine and capricious mind—and also her not being on cordial



terms with many of the members of her family, joined to her passion for enterprise and travel, that led her altogether to withdraw from a world whose smiles were now in part changed into coldness and indifference. On much of the society in which she then mingled, comprising the most talented and elevated characters of the day, she sometimes takes pleasure in dwelling in terms either of keen satire or of unqualified eulogy. Her eloquence in conversation is considerable, when she is animated with the subject, though her voice is neither very melodious nor feminine; and when roused, which is but rare, to anger, it may be said (in the eastern expression) that "her wrath is terrible."

On one of the days of her residence at Palmyra, she gave a kind of fête to the Bedouins. The great sheik, with his tribe of Palmyrene Arabs, constantly resides at the ruin. Their habitations are fixed near the great temple; they are very well disposed, and civil in their manners, and their young women are remarkable, above all the other tribes, for their beauty. It was a lovely day, and the youth of both sexes, dressed in their gayest habiliments, were seated in rows on the fragments of the pillars, friezes, and other ruins with which the ground was covered. Her ladyship, in her eastern dress, walked among them, addressed them with the utmost affability, and ordered a dollar to be given to each. As she stood, with all that Arab array, amidst the columns of the great temple of the sun, the sight was picturesque and imposing; and the Bedouins hailed her, with the utmost enthusiasm, queen of Palmyra, queen of the Desert! and, in their enthusiasm, would have

proceeded to confer more decided marks of sovereignty, but they were declined. They speak of her now with the utmost veneration and respect. They also retain another mark of her bounty, one which, out of regard for her countrymen, she might well have spared. The great sheik received from her a paper, in her hand-writing, in which she directs him to demand a thousand piastres of every traveller who visits the ruin. The sheik never fails to enforce this counsel, and displays the paper, with the addition, that the great lady, the queen, said that the English travellers were rich, and that they ought to pay well for the privilege of seeing Palmyra. This enormous tax, which it is impossible to escape, causes several travellers to leave Syria without seeing the finest ruin in the world. One, indeed, of no small eminence, absolutely refused to pay it, telling the sheik, who drew the mandate from his bosom, that the great lady had no right whatever over his purse, and that she showed little wisdom in leaving such a mandate in his hands. He passed four days at Palmyra, and would have left it as wise as he came, if he had not made a compromise with the chief, and consented to pay half the sum. The Arabs, though they would not personally injure him, did not suffer him to leave the hut, and at last placed some wood and fagots round the walls, and, setting them on fire, filled the habitation of the traveller with such clouds of smoke, that he could neither breathe nor see, and was obliged to give way. This injudicious and needless written mandate from the noble visitor to the chief, will, no doubt, be handed down from sheik to sheik for many



generations; and travellers for centuries to come will be doomed to see the ominous scroll produced, and the thousand piastres demanded, with the comment that it was given to their forefathers by the great lady from beyond the sea.

The old Arab soothsayer, or magician, who sometimes visits Marilius, is a singular being; his appearance, with his long beard and solemn and venerable aspect, being rather equivocal. He either deludes himself or his patroness, perhaps both, for his prophecies of oriental grandeur and dominion have, not seldom, been willingly received. There is little doubt that her restless and romantic mind at times dwelt with pleasure on the idea of a power to be established in the East, of which she was to be the mistress:—a large fleet was to come from afar to aid this conquest, and her sceptre was to weigh with equal glory to that of Zenobia who defended Palmyra. The Arab soothsayer has obtained considerable fame by his prophecy of the destruction of Aleppo by an earthquake twelve months before it took place. The particulars of this prophecy, and the very words in which it was couched, have appeared in a religious publication a few months ago: they were very emphatic, and full of denunciations of wrath and terror, and struck a missionary who was at Aleppo at the time with all the force of truth. But superstition is the frequent weakness of powerful minds; the two first literary characters of the present day believing, it is said, in second sight. But the belief in nativities, or the influence of the stars, which is a prominent part of the creed of the noble owner of Marilius, is, perhaps, still more precarious and unsatisfactory. Yet this research is

pursued with eager interest and curiosity, and fills up many a solitary hour both by day and night. The particular star under whose influence some of her friends have been born, have been inquired after with avidity; and one who filled at that time a high diplomatic situation in the East at a considerable distance, told me he was intreated by letter to communicate what star chanced to preside over his birth.

The tranquil and elevated site of Marilius, once a monastery, but now converted into a handsome dwelling, is to be envied on a bright and beautiful night, such a one as is so often beheld in the East. The heavenly bodies, shining with excessive brilliancy, appear almost the only living and awakening objects around. No human habitation is nigh, the plain and town of Sidon are at a distance below, and no footstep dares approach the spot, except sent on a special embassy or communication. Indeed, three and twenty Arab servants, almost wholly men, are a retinue too formidable to be trifled with; and with the numerous stud of blood Arabian horses, might form an escort fit for a pacha. These horses have either been purchased or sent as presents by the Arab chiefs: a present not unprofitable to the owner, as the Bedouin who brings the courser is rewarded with a *douceur* of a thousand piastres. The generosity, indeed, of lady Hester Stanhope knows no bounds, and is prodigiously admired by the Arabs, among whom it is considered a cardinal virtue. Extremely abstemious in her own habits, with a little tea and dry bread for breakfast, and some soup, with (the furthest that her luxury extends) a boiled chicken for dinner, the residence contains a store



of the choicest wines and delicacies for her visitors. With the Arab sheik she sips coffee and smokes a pipe, seated on the carpet, and converses with oriental animation. The rich arms that are at times sent as presents to the various chiefs, are most acceptable to them; they prefer those of England to their own manufacture, but they look cold on them except they are embossed in gold or silver. Large chests, full of English pistols and other arms, richly ornamented, are sometimes sent to Marilius. One was waiting shipment at Alexandria a few months before for the same place, and was to be accompanied by a collection of tea-cups and saucers from that port, as the old stock was nearly exhausted.

As may be imagined, lady Hester Stanhope is not very popular with the few European ladies settled in the East. One of them, a resident at Sidon, asserted that those peculiar manners and habits would lose half their charm to their possessor, if they ceased to excite notoriety. That she chanced to reside once for some weeks in the same house with her ladyship; and never manifesting the slightest curiosity or interest respecting her, the former became uneasy and displeased, and made many and pointed inquiries who the stranger was. This was a French-woman's tale, prompted a little, perhaps, by envy, though this is the last passion the life of the noble recluse need excite in the bosom of a pretty woman. Indeed, the softer sex are seldom welcome visitors at the residence. When a nobleman and his lady, during their eastern travels, went there in the expectation of being gratified with an interview with its illustrious tenant,

they found she had flown, a few hours before their arrival, on one of her Arab coursers, leaving orders with the housekeeper to receive the visitors with the most attentive hospitality.

Yet the door that is often closed to the rich and curious, is ever open to the poor and distressed. It would fill many pages to detail every generous and noble action of the recluse. The sick are furnished with medicine, and the poor and wretched of the neighbourhood are never sent empty away.

If it be asked if the Orientals have derived any benefit from the residence of her ladyship among them, in point of information, or manners, &c. it may be replied in the negative. It was said at one time she was engaged in instructing and civilizing a tribe of Bedouins, and that these children of the sun were making rapid improvements. In the science of flattery, and a rooted veneration for gold and the hand that bestows it bountifully, these Syrians are equal to any of their fellow-creatures; but in all other respects they are, and will be, as the prophecy was spoken of them, "a wild and reckless people, and artful as the father of lies." The prince of the Druses received a Bible with thanks from a missionary who visited him, and a few days after sent a body of his troops to plunder one or two Greek monasteries. Perfectly tolerant in her religious sentiments, and surrounded by at least six or seven different creeds of Christianity, besides the Mussulman and the Druse, her ladyship shows no marked preference for one more than another; were it otherwise, Marilius would soon be inundated by Turkish san-tons, or imauns, Maronite, Greek, or Armenian priests. The mis-



sionaries have tried of late to engage her powerful countenance in their cause, but in vain. Of the cause of the unhappy Greeks she is a warm and decided supporter; and, more than once, she has stepped in between lawless oppression and those who were about to become its victims. Long will the English name receive additional veneration in the East on her account; and were the gates of Marilius but thrown open to the reception of her countrymen, it would be the most luxurious resting-place, and her influence the surest safeguard, in the land of the East. Yet the strict etiquette preserved there, though unfelt by the stronger, falls not so lightly on the gentler, sex. Two young ladies were invited, from a former friendship to the father, who was an English gentleman, to spend a few weeks at Marilius. They were delighted at the thoughts of so rare a privilege, and set out with anxious hearts. Their reception was most kind and friendly, and the first few days passed gaily away; but ungifted with the peculiar resources of their hostess, the hours soon began to move heavily. No amusements, no change of scene, often no sound but the wind moaning through the few trees on the summit of the hill. During the greater part of the day, the only faces they saw

were Arab ones; at night, and not till then, they were admitted to an interview with her ladyship, seated *à la Turque*, in her Mameluke dress, who conversed with perfect good-humour, and ridiculed them sometimes for their effeminacies and weaknesses. They were not able to ride the mettled Arab coursers through mountain roads and passes, over which, without a skilful hand, a lady unaccustomed to the country, might well break her neck. When any illustrious Turk or Arab showed his bearded face and turbaned head before the door, the two visitors, so far from having their curiosity indulged with an interview, were bidden to confine themselves closely to their chamber, and not to look through the window, lest the follower of the prophet might catch a glimpse of their features, and the strict etiquette of the place be thus violated; and they left it with feelings like those of a nun leaving the walls of her monastery.

The other residence of lady Stanhope is called Mar Abbas, and is situated farther in the interior, and during the winter is a preferable situation to the one near Sidon, and has more wood to shelter it. When any infectious disorder prevails on the coast, she always retires there.

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MEMOIR of the RIGHT REV. REGINALD HEBER, D. D.  
*Lord Bishop of Calcutta.*

REGINALD HEBER was the son of the rev. Reginald Heber, of Marton, in Yorkshire. He was born on the 21st of April, 1783, at Malpas, in Cheshire, a living held at that time by his father.

From the grammar-school of Whitchurch, where he received more than the rudiments of his classical education, he was sent to Dr. Bristowe, a gentleman who took pupils near town; and in the



year 1800, was admitted of Brazen-nose college, Oxford. He came to the university not an accurate Greek or Latin scholar, but with a very extensive range of information, and an insatiable thirst after knowledge. He knew very little of the art of writing Latin verses; yet, as this was the only mode of distinguishing himself, in his first year at college, he applied his mind to Latin hexameters; and, on his first attempt, in 1802, obtained the university prize; the subject was "Carmen Seculare." He subsequently directed his attention to English poetry, which he composed at first with great difficulty. In 1803 the subject given for English verse was "Palestine." Upon this theme Mr. Heber wrote, and with signal success.

Mr. Heber then applied himself to the higher classics and to mathematics, in which he made considerable progress. In 1805, he took his degree of B. A. and immediately after tried his powers in English composition, and gained the prize for the English Essay; the subject, "The Sense of Honour." From Brazen-nose college he was elected to a fellowship at All-Souls, and, soon after, went abroad. The continent, at that time, afforded but small choice for an English traveller; and those scenes, which, as a scholar, he would probably have preferred to visit, were not then accessible. He was, therefore, obliged to content himself with Germany, Russia, and the Crimea; and how closely he could observe, and how perspicuously impart his observations, appears from the notes in Dr. Clarke's travels in the latter countries, extracted from Mr. Heber's MS. journal.

Mr. Heber and his friend visited,

during this tour, the principal scenes among which Dr. Clark had travelled in 1800, and which form the subjects of his first volume, published in 1810. In the preface to that volume, the learned and justly-admired traveller acknowledges great obligations "to the rev. Reginald Heber," for "the valuable manuscript journal, which afforded the extracts given in the notes." Besides "Mr. Heber's habitual accuracy, his zealous attention to which appears in every statement," Dr. Clark mentions "the statistical information, which stamps a peculiar value on his observations," and "has enriched the volume by communications the author himself was incompetent to supply;" especially, "concerning the state of peasants in Russia." Dr. Clark adds "a further acknowledgment, for some beautiful drawings, engraved in this volume."

It does not appear when Mr. Heber returned from the continent. In 1808 he took his degree of A. M. at Oxford. The next year appeared from the press his poem "Europe, Lines on the present War." This poem professes to be "a review of the general politics of Europe, with a wish to avoid, as much as possible, subjects purely English." The subject which predominates is, "the glorious struggle which has drawn the attention and sympathy of all mankind to Spain."

Having returned to England, and been presented to the family living of Hodnet, he married Amelia, daughter of Dr. Shipley, the late dean of St. Asaph, and thenceforward willingly devoted himself to the enjoyment of those domestic charities, which no one was better fitted to promote, and to the discharge of those unobtrusive duties, which fill up the life of



a country clergyman. Few days passed in which he did not spend some time in intercourse with his people ; suffering neither the aged to be deprived of the consolations of religion, through their inability to reach church, by reason of their years ; nor the sick man to be long on his bed, without one to kneel by his side ; nor the poor to languish in want, without his discovering and giving him help ; nor neighbours to be at strife, without supplying to them a most effectual peace-maker.

Active, however, as was the life of Mr. Heber, it was still a studious life. At his parsonage he applied his vigorous intellect to the study of divinity, and in 1815 preached the Bampton Lecture. The subject selected by him was "The Personality and Office of the Christian Comforter asserted and explained," in a course of sermons on John xvi. 7. About this time he composed many articles for a Dictionary of the Bible ; after which, with the exception of some critical essays, both theological and literary, not unknown to the public, though without a name, and an admirable ordination sermon, delivered before the late bishop of Chester, and at his request committed to the press, he did not appear as an author till 1822, when his "Life of Jeremy Taylor, with a Review of his Writings," made known to the world how well the interval had been spent in maturing his great knowledge by reflection, and chastising a style in his former work, perhaps somewhat redundant, by a sound judgment and more finished taste.

In 1822, Mr. Heber was elected by the benchers of Lincoln's-Inn, preacher to their Society, an office which had been filled by Warbur-

ton, Hurd, and numerous dignitaries of the church. His election to this office, independently of the acknowledgment it paid to his talents and character, was valuable to him, as securing his more frequent access to the metropolis. At Lincoln's-Inn his sermons were greatly admired by men of the highest talent and worth in the profession of the law.

It was not long before an occasion of employing him in a more extensive field of usefulness occurred ; and, on the death of Dr. Middleton, the bishoprick of Calcutta was offered to Mr. Heber. He deliberated long and anxiously ; he even refused the appointment ; he recalled his refusal ; bade farewell to the parish where he had toiled for fifteen years, and, on the 16th of June, 1823, embarked for the land which was to be his grave.

The Bishop left London on the 16th of June, 1823 ; and immediately embarked for India on board the company's ship Grenville. On the 10th of October following, the bishop, with Mrs. Heber and their family, landed at Calcutta. On the 4th of November, at Dum Dum, the military station of the East-India company's artillery, a few miles from Calcutta, his lordship consecrated the new church, the foundation of which had been laid by his predecessor, bishop Middleton, under the name of St. Stephen.

On Ascension day, 1824, bishop Heber held his primary visitation in the cathedral at Calcutta.

In May, 1824, the bishop consecrated a new church at Goruckpoor, a station in the interior of Bengal. From June to the end of that year, he was engaged in visiting the several European stations in Bengal, and the upper provinces of Hindoostan.



In January, 1825, the bishop was at Acra, and went from thence to Jeypoor and Neemuch, to the stations under the Bombay government, including Poonah, Kaira, Baroda, Baroach, Surat, and Guzerat, consecrating churches at these several places.

In May, 1825, the bishop held his episcopal visitation at Bombay, where he preached on board the Honourable Company's ship Farquharson. In the course of this progress he laid the foundation of two central schools. He also visited the Deccan, Ceylon, and Madras, on his return to Bengal; performing at each station the active duties of an apostolic bishop.

During this period he appears to have zealously promoted the religious objects of the British and Foreign Bible Society. In their "Report" for 1825, they gratefully acknowledge that "the name of Dr. Heber, Bishop of Calcutta, as an accession to the cause, is in every respect most valuable. With the aid of his lordship's counsel and influence, the objects of the Society must be essentially promoted; its character also will be better appreciated, and it will commend itself more and more to the community."

The bishop preached at Combaconum, on Good Friday, the 24th of March, 1826, and arrived the next day at Tanjore, where he preached on Easter Sunday. The following day he held a Confirmation at the latter place; and in the evening addressed the assembled Missionaries. Having paid a visit of ceremony to the rajah of Tan-

jore, and inspected the schools, he went on to Trichinopoly. Here, on Sunday, April 2, he again preached and again confirmed,—a rite which he repeated early the next morning in the Fort church. Having returned home, he proceeded to bathe before breakfast, as he had done the two preceding days. His servant accompanied him to the bath, which was built as a separate bungalow. The tub was large enough for a person to swim about in it; and it was filled above the height of a grown person. The servant waited outside the door. First he heard the bishop moving about in the water, as if swimming; this lasted only about four minutes, then all was suddenly still. The servant thought his master was dressing, but, when this pause had lasted nearly half an hour, he became alarmed, and knocked at the door; no answer having been returned, he at last opened it, and found the bishop dead at the bottom of the tub. He was immediately taken out of the water, and medical assistance applied, but every effort proved ineffectual. His body was opened; and it was the opinion of the surgeons, that he died of apoplexy. He was on the day following entombed in St. John's church, on the plain at the right side of the altar. The bishop, although perfectly well the preceding days, and, as it appeared, on the very day the event took place, had yet given his chaplain to understand some time before, that he thought his life would be of no long duration, and that his demise would be sudden.



## MEMOIR of THEOBALD WOLFE TONE.

THEOBALD WOLFE TONE was born in Dublin in 1763. His father was a coachmaker; his mother, the daughter of a West-India skipper. His father becoming bankrupt, and retiring to the country, young Theobald was left in Dublin, "his own master before he was sixteen;" and, the school being in the neighbourhood of the Phoenix Park, he became very fond of attending all field-days, and reviews of the garrison.

In due time, he was sent to Trinity College, Dublin, where he soon received disgust from being refused a premium, to which he conceived he was undoubtedly entitled. This made him recoil from his studies with tenfold spleen. He tried to be allowed to join our troops in America as a volunteer, but was again overruled. He stayed away from college a whole year after this. The consequences of a duel, in which he acted as second to another stripling, made another long absence necessary. Love brought a third interruption; and he ran away at two-and-twenty with a pretty girl of sixteen, of some small fortune in expectation. After a time, the relations on both sides forgave this step; Tone resumed his attendance at college, and took his degree of A. B. in 1786. After this he took his bride to his father's retreat in the country, where they were kindly received, and lived happily for a short time, until the house was entered one night by a band of robbers, who carried off property the loss of which caused new embarrassments. In short, funds were with great difficulty raised

for conveying Theobald to England, where, having at last resolved to be a lawyer, it was necessary for him to keep terms at one of the inns of court.

"I arrived in London (says he, January, 1787,) and immediately entered my name in the books of the Middle Temple; but this, I may say, was all the progress I ever made in that profession. I had no great affection for study in general, but that of the law I particularly disliked; and to this hour I think it an illiberal profession, both in its principles and practice. I was likewise amenable to nobody for my conduct; and, in consequence, after the first month I never opened a law-book, nor was I ever in Westminster Hall three times in my life."

Mr. Tone then applied himself to pursuits more suited to his genius. He became a writer of critical reviews in the *European Magazine*; and, in conjunction with two friends, produced "*Belmont Castle*, a novel." These exertions brought him some money, but not enough to eke out the scantiness of his allowance; and he confesses, apparently without shame, that he occasionally received assistance—sometimes considerable sums of money—from his young friends of the Temple.

At this period, the return of a brother from a sea-voyage led him to form a plan for establishing a military colony in the Sandwich Islands. The particulars of the scheme were detailed in a memorial, which was delivered, by his own hands, to Mr. Pitt's porter in Downing-street. "But," says Mr. Tone, "Mr. Pitt took not the smallest



notice of either memorial or letter. In my anger I made something like a vow, that if ever I had an opportunity, I would make Mr. Pitt sorry ; and perhaps fortune may yet enable me to fulfil that resolution." The indignant memorialist, however, saw no immediate means of vengeance, and determined to enlist in the East-India Company's service as a soldier. But it so happened, that the season had passed ; no more ships were to go out that year. Tone, therefore, had no alternative, but to go back to the Temple, whence, as soon as his eight terms were completed, he repaired to Dublin ; and, being supplied with 500*l.* by his wife's family, was soon afterwards called to the bar. The barrister confesses that he, at this time, knew "exactly as much of law as of necromancy : " it is not wonderful, therefore, that he "soon got sick and weary" of his profession. He "continued, however, for form's sake, to go to the courts, and went the circuit, in all, three times."

Mr. Tone, after completing his third circuit, began to think of "turning his attention to politics ;" and the result was a pamphlet, entitled, "A Review of the last Session of Parliament," written, as he informs us, "in defence of the Whig-club." The production was a pert and puerile declamation ; but the apparent zeal of the rhetorical partisan won it the favour of the Whig-club of Ireland. Mr. Tone was complimented and caressed, and at last introduced to Mr. George Ponsonby, the leader of the Irish opposition. "A barrister of some note," says Mr. Tone, "told me the Ponsonbys were a most powerful family in Ireland ; that they were much pleased with my exertions, and wished, in con-

sequence, to attach me to them ; that I should be employed as counsel on a petition then pending before the House of Commons, which would put an hundred guineas in my pocket, and that I should have professional business put in my way, from time to time, that should produce me at least as much per annum : he added, that they were then, it was true, out of place, but that they would not be always so ; and that, on their return to office, their friends, when out of power, would naturally be first considered. He likewise observed, that they had influence, direct or indirect, over no less than two-and-twenty seats in parliament ; and he insinuated, pretty plainly, that when we were better acquainted, it was highly probable I might come in on one of the first vacancies. All this, was highly flattering to me, the more so as my wife's fortune (the 500*l.*) was now nearly exhausted. I did, it was true, not much relish the attaching myself to any great man, or set of men ; but I considered, as I have said before, that the principles they advanced were such as I could conscientiously support, so far as they went, though mine went much beyond them. I therefore thought there was no dishonour in the proposed connexion, and I was certainly a little dazzled with the prospect of a seat in parliament, at which my ambition began to expand. I signified, in consequence, my readiness to attach myself to the whigs, and I was instantly retained in the petition for the borough of Dungarvon, on the part of James Carrigee Ponsonby, esq." However, month after month passed on without any communication from Mr. Ponsonby. This inspired Mr. Tone with new opin-



ions, and he opened his views in a rebellious pamphlet, which the publisher was fain to suppress next morning. Immediately upon this, Mr. Tone was thrown off by his wife's family, a circumstance for which he tells us in his memoirs that he can give no reason, though we apprehend his readers will easily divine the cause.

From this date, Mr. Tone was the enemy of whigs and tories alike. In the course of the ensuing summer, indeed, he made another effort to draw the attention of the English government to his South-Sea scheme; but this failed, and he consoled himself with dinner-clubs in Dublin, where he formed or strengthened his intimacy with Emmett, Keogh, Napper Tandy, Dr. Mac Nevin, and other congenial spirits, almost all of whom have since earned sufficient notoriety. The French Revolution broke out, and poured new blood and vigour into the hearts of these patriotic whiskey-drinkers. "It is needless," says Tone, "to mention that I was a democrat from the beginning; and that this gave the coup-de-grace to any hopes of succeeding in a profession which I always disliked, and which the political prostitution of its members had taught me sincerely to despise." "About this time," adds he, "I came rather more forward than I hitherto had done." By "coming forward" Mr. Tone means making himself notorious by the publication of a series of pamphlets, in which he denounced the members of the established church in Ireland as persons 'who dreaded and abhorred the principles of the French revolution, and were, in one word, an aristocracy in the fullest and most odious extent

of that term;' and calling upon the dissenters and Roman Catholics to unite heart and hand, for the emancipation of the latter body from all political disabilities, which he advocated expressly on this ground, that it must form a preliminary step towards the true and real object of all good Irishmen's wishes; namely, the shaking off of the connexion with Great Britain. The clubs of United Irishmen (so called from the ominous conjunction of Romish and Protestant dissenters) began at Belfast. A friend of Tone's, Russell, an ensign in the king's service, happening to pass through that town on his way to join his regiment, was struck with the delightful spirit there prevalent, and invited Tone to visit a scene where he must necessarily find himself so much at home. He did so; he was voted an honorary member of the Belfast volunteer corps; subsequently assisted at the framing of the first club of United Irishmen; and was eventually commissioned by the Belfast patriots to act as an agent for procuring them the support of the general committee of Roman Catholics in Dublin, 'who were, about this time, to the Catholics of Ireland what Paris, at the commencement of the French revolution, was to the departments.' He wrote the Declaration of the first club of United Irishmen; became an active partisan of the Catholic committee in Dublin; and was a principal pamphleteer, messenger, negotiator, in every turbulent scene that occurred in that dismal period. It was at this time that he commenced keeping a diary for the benefit of his wife and intimate friends; which in the present year was published in America by his



son. A few extracts from this journal will illustrate the utter moral and intellectual worthlessness of the creatures who worked so much mischief in Ireland.

'*Belfast, July 15, 1792.*—The business now fairly settled in Belfast and the neighbourhood. Huzza! huzza! Dinner at the Donegal Arms. Everybody as happy as a king, but Waddel, who looks like the devil himself! Huzza! God bless everybody! Stanislas Augustus, George Washington: *beau-jour*. Who would have thought it this morning? Huzza. Generally drunk.—Broke my glass thumping the table. Home, God knows how, or when. Huzza! God bless every body again, generally. Bed, with three times three. Sleep at last.'—

"*Belfast, July 16.*—The tanner looks extremely wise and significant. Gog, \* Mr. Hutton, † and he, worship each other, and sign an article with their blood; flourish their hands three times in a most graceful manner (see Goldsmith's *Citizen of the World*), and march off into town. Ho! but they are indeed most agreeable creatures. (Do.) Lounge till near dinner. Go to the Donegal Arms, and meet all the Catholics.' . . . Dinner; M'Tier in the chair. Chequered at the head of the table, a Dissenter and a Catholic. Delightful! The four flags, America, France, Poland, Ireland, but no England! Bravo! *Beau-jour!*"

"*Dublin, Aug. 1.*—Busy all day folding papers, &c. for the Munster bishops. Damn all bishops! Gog not quite well on that point: thinks them a good thing. Nonsense. Dine at home with Neilson

and M'Cracken. Very pleasant. Rights of man. French revolution. No bishops."

"14th.—The Belfast men get warm with wine and patriotism. All stout: Gog valiant; also the Irish slave; \* also the tanner; also Mr. Hutton. The Catholics offer to find soldiers, if Belfast will provide officers. All fair. Lurgan green, as usual. Something will come out of all this. Agree to talk the matter over to-morrow, when we are all cool. Huzza! Generally drunk. *Vive la nation!* Damn the Empress of Russia! Success to the Polish arms! with three times three. Huzza! Generally very drunk. Bed—God knows how. To dine to-morrow with the tanner. Huzza! Huz—!"

"16th.—What might not be done by the aristocrats of the county Down if they were actuated by the same spirit? Damn them! Mug a quantity of mulled wine. Generally drunk. Union of Irishmen, with three times three, &c. Bed late."

In 1794, Tone was involved in the treason of Jackson and Hamilton Rowan. He had drawn up a paper to show what excellent things might be expected from the invasion of Ireland by a French army, and how that army ought to act; and this paper was found on Jackson's arrest. There had been, besides, a negotiation about Tone's going over to France himself, as envoy for the patriots of Ireland. However, some gentlemen (particularly Mr. Beresford and Mr. Knox) who had known him in earlier days, and who still pitied him as a misguided coxcomb, interfered so powerfully, that it was agreed to let him save his neck, on condition that he should

\* Gog, *i. e.* Keogh.

† Mr. Hutton, *i. e.* Tone himself.

\* The Irish slave, *i. e.* Macabe



leave the country; and, accordingly, after being permitted to linger a year in Ireland, for the arrangement of his private affairs, he embarked with his family for the United States of North America, where he arrived in June 1795.

The French government had at this time a minister in Philadelphia; and Mr. Tone's first anxiety was to be introduced to this person, by his friend Mr. Hamilton Rowan. Citizen Adet received him kindly, and a negotiation touching the scheme of invading Ireland by a French army was forthwith opened. Mr. Tone appears to have felt no scruples whatever in commencing this treaty. He had given, he says, no parole to the government that spared his life.

He proceeded, therefore, in his work, consulting, he tells us, at every step with Dr. Reynolds, Mr. Hamilton Rowan, and Mr. James Napper Tandy; and at length being supplied with money by Keogh, Russell, and others, in Ireland, and furnished with a letter to the Comité de Salut Public, by Citizen Adet, he sailed for France, there to hasten and conclude his treaty, and arrived at Havre-de-Grâce on the 1st of February, 1796. His negotiations proceed: he obtains a commission as *chef-de-brigade*, receives a month's pay in advance, and at last the expeditions of Hoche and Humbert are fitted out.

The result of these expeditions is well known. Tone was with the expedition to Bantry Bay, and the vessel in which he sailed escaped shipwreck as narrowly as any in the fleet, which the extraordinary hurricane of Christmas, 1796, so providentially dispersed and ruined. Upon returning to the

continent, we find our *chef-de-brigade* spending some months at the head-quarters of the army of the Meuse and Sambre, but never forgetful of his main purpose, and occupied, from time to time, in attempts to corrupt the British soldiers and sailors then in the prisons of France, with a view to embarking them in his next expedition. He had some success with the Irishmen among them; and thus describes his methods of dealing:—

“I know the Irish a little. When every thing else is ready, let them send in a large quantity of wine and brandy, a fiddle and some French *filles*, and then, when Pat's heart is a little soft with love and wine, send in two or three proper persons in regimentals, and with green cockades in their hats, to speak to them, of whom I will very gladly be one. I think, in that case, it would not be very hard to persuade him to take a trip once more to Ireland, just to see his people a little.”—Such were his employments, until the expedition of Humbert was at length organized.

The expedition sailed; and we need not dwell upon the issue. Tone was one of those who were taken, after a desperate resistance, in the Hoche, by the squadron under sir John Borlase Warren; he was recognised the second morning after he was put ashore, and sent to Dublin, where he was tried, and condemned. Incredible as it may seem, the barrister seems to have believed he was to escape, after all that he had done, simply by proving himself to be the bearer of a commission in the service of the French republic. He delivered a very flowery declamation upon this head, to which his judges



paid due respect; and brigadier-general Tone, finding that, in spite of the uniform of the *grande nation*, he was *bond fide* ordered for

execution, inflicted on himself a mortal wound the same evening in the gaol of Dublin.

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ANECDOTES of DR. ADAM FERGUSSON.—(*From the Quarterly Review.*)

DR. ADAM FERGUSSON, the author of the History of the Roman Republic, and distinguished besides as a moral philosopher, was the son of a clergyman at Loggierait, in Athol. He was himself destined to the church, took orders, and went as chaplain to the Black Watch, or 42nd Highland regiment, when that corps was first sent to the continent. As the regiment advanced to the battle of Fontenoy, the commanding officer, sir Robert Mouro, was astonished to see the chaplain at the head of the column, with a broadsword drawn in his hand. He desired him to go to the rear with the surgeons, a proposal which Adam Fergusson spurned. Sir Robert at length told him that his commission did not entitle him to be present in the post which he had assumed. "D——n my commission," said the warlike chaplain, throwing it towards his colonel. It may be easily supposed that the matter was only remembered as a good jest; but the future historian of Rome shared the honours and dangers of that dreadful day, where, according to the account of the French themselves, "the Highland furies rushed in upon them with more violence than ever did a sea driven by a tempest."

Professor Adam Fergusson's subsequent history is well known. He recovered from a decided shock of paralysis in the sixtieth year of his life, from which period he be-

came a strict Pythagorean in his diet, eating nothing but vegetables, and drinking only water or milk. He survived till the year 1816, when he died in full possession of his mental faculties, at the advanced age of ninety-three. The deep interest which he took in the eventful war had long seemed to be the main tie that connected him with passing existence; and the news of Waterloo acted on the aged patriot as a *nunc dimittis*. From that hour, the feeling that had almost alone given him energy decayed, and he avowedly relinquished all desire for prolonged life. It is the belief of his family that he might have remained with them much longer, had he desired to do so, and continued the exercise which had hitherto promoted his health. Long after his eightieth year, he was one of the most striking old men whom it was possible to look at. His firm step and ruddy cheek contrasted agreeably and unexpectedly with his silver locks; and the dress which he usually wore, much resembling that of the Flemish peasant, gave an air of peculiarity to his whole figure. In his conversation, the mixture of original thinking with high moral feeling and extensive learning; his love of country; contempt of luxury; and, especially, the strong subjection of his passions and feelings to the dominion of his reason, made him, perhaps, the most striking example of the



Stoic philosopher which could be seen in modern days. His house, while he continued to reside in Edinburgh, was a general point of re-union among his friends, particularly of a Sunday, where there generally met, at a hospitable dinner-party, the most distinguished literati of the old time who still remained, with such young per-

sons as were thought worthy to approach their circle, and listen to their conversation. The place of his residence was an insulated house, at some distance from the town, which its visitors (notwithstanding its internal comforts) chose to call, for that reason, Kamtschatka.

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ANECDOTES of DR. BLACK and DR. HUTTON.—(*From the same.*)

THE two chemists, Dr. Black and Dr. Hutton, were particular friends, though there was something extremely opposite in their external appearance and manner. They were both, indeed, tall and thin; but there all personal similarity ended. Dr. Black spoke with the English pronunciation, with punctilious accuracy of expression, both in point of manner and matter. His dress was of the same description, regulated, in some small degree, according to the rules which formerly imposed a formal and full-dress habit on the members of the medical faculty. The geologist was the very reverse of this. His dress approached to a quaker's insimplicity; and his conversation was conducted in broad phrases, expressed with a broad Scotch accent, which often heightened the humour of what he said. One day the two doctors had held some discourse together upon the folly of abstaining from feeding on the testaceous creatures of the land, while those of the sea were considered as delicacies. Wherefore not eat snails?—they are well known to be nutritious and wholesome—even sanative in some cases. The epicures of olden times enumerated among the rich-

est and raciest delicacies, the snails which were fed in the marble quarries of Lucca: the Italians still hold them in esteem. In short, it was determined that a gastronomic experiment should be made at the expense of the snails. The snails were procured, dieted for a time, then stewed for the benefit of the two philosophers, who had either invited no guest to their banquet, or found none who relished in prospect the *pièce de résistance*. A huge dish of snails was placed before them; but philosophers are but men after all; and the stomachs of both doctors began to revolt against the proposed experiment. Nevertheless, if they looked with disgust on the snails, they retained their awe for each other; so that each, conceiving the symptoms of internal revolt peculiar to himself, began with infinite exertion to swallow, in very small quantities, the mess which he internally loathed. Dr. Black, at length, “showed the white feather,” but in a very delicate manner, as if to sound the opinion of his messmate:—“Doctor,” he said, in his precise and quiet manner—“Doctor, do you not think that they taste a little—a very little green?” “D—d



green, d——d green, indeed: tak' from table, and giving full vent to them awa', tak' them awa',” vociferated Dr. Hutton, starting up his feelings of abhorrence.

#### ANECDOTES of DR. ADAM SMITH.—(*From the same.*)

DR SMITH is well known to have been one of the most absent men living. Mr. Mackenzie placed in his hand the beautiful tale of La Roche, in which he introduces Mr. David Hume, for the express purpose of knowing whether there was any thing in it which Mr. Hume's surviving friends could think hurtful to his memory. Dr. Smith read and highly approved of the MS.; but, on returning it to Mr. Mackenzie, only expressed his surprise that Mr. Hume should never have mentioned *the anecdote* to him. When walking in the street, Adam had a manner of talking and laughing to himself, which often attracted the notice and excited the surprise of the passengers. He used himself to mention the ejaculation of an old market-woman — “Heh, Sirs!” shaking her head as she uttered it; to which her companion answered, having echoed the compassionate sigh, “and he is well put on too!” expressing their surprise that a decided lunatic, who, from his dress, appeared to be a gentleman, should be permitted to walk abroad. In a private room, his demeanour was equally remarkable: one evening, he put an elderly maiden lady, who presided at the tea-table, to sore confusion, by neglecting utterly her invitations to be seated, and walking round and round the circle, stopping ever and anon to steal a lump from the sugar-basin, which the venerable spinster was at length

constrained to place on her own knee, as the only method of securing it from his most un economical depredations.

When Dr. Smith was a commissioner of the board of Customs, that board had in their service, as porter, a stately person, who, dressed in a huge scarlet gown or cloak, covered with frogs of worsted lace, and holding in his hand a staff about seven feet high, as an emblem of his office, used to mount guard before the Custom-house when a board was to be held. It was the etiquette that, as each commissioner entered, the porter should go through a sort of salute with his staff of office, resembling that which officers used formerly to perform with their spontoon, and then marshal the dignitary to the hall of meeting. This ceremony had been performed before the great Economist perhaps five hundred times: nevertheless, one day, as he was about to enter the Custom-house, the motions of this janitor seemed to have attracted his eye without their character or purpose reaching his apprehension, and on a sudden he began to imitate his gestures, as a recruit does those of his drill-sergeant. The porter, having drawn up in front of the door, presented his staff as a soldier does his musket: the commissioner, raising his cane, and holding it with both his hands by the middle, returned the salute with the utmost gravity. The inferior officer,



much amazed, recovered his weapon, wheeled to the right, stepping a pace back to give the commissioner room to pass, lowering his staff at the same time, in token of obeisance. Dr. Smith, instead of passing on, drew up on the opposite side, and lowered his cane at the same angle. The functionary, much out of consequence, next moved up stairs with his staff advanced, while the author of the "Wealth of Nations" followed with his bamboo in precisely the same posture, and his whole soul apparently wrapped up in the purpose of placing his foot exactly on the same spot of each step which had been occupied by the officer who preceded him. At the door of the hall, the porter again drew off, saluted with his staff, and bowed reverentially. The

philosopher again imitated his motions, and returned his bow with the most profound gravity. When the doctor entered the apartment, the spell under which he seemed to act was entirely broken, and our informant, who, very much amused, had followed him the whole way, had some difficulty to convince him that he had been doing any thing extraordinary. Upon another occasion, having to sign an official minute or mandate, Adam Smith was observed to be unusually tedious, when the same person, peeping over his shoulder, discovered that he was engaged, not in writing his own name, but in imitating, as nearly as possible, the signature of his brother in office, who had held the pen before him.



# GEOGRAPHY, ASTRONOMY, MECHANICAL ARTS, &c.

*Account of CAPTAIN PARRY'S Third Voyage for the Discovery of a North-West Passage from the Atlantic to the Pacific; performed in the years 1824-25, in his Majesty's Ships Hecla and Fury.*

THE unusual severity of the season, on the passage outwards; and the change, which could not be anticipated, that had taken place in the position of the floating fields of ice that permanently occupy some part of Baffin's Bay, retarded the progress of the ships so long, that it was with much difficulty they were enabled to reach Port Bowen, on the eastern shore of Prince Regent's Inlet, before all further navigation, for that season, became impracticable, on account of the formation of young ice on the surface of the sea. Had captain Parry been fortunate enough to have reached this point three weeks or a month sooner, as from former experience he had every reasonable ground to expect, he would in all probability have crossed the southern portion of the Polar sea, and wintered on some part of the coast of America.

The winter in Port Bowen was passed nearly in the same manner as former winters in the Polar seas.

Perhaps, indeed, this third winter was somewhat more dreary

than former ones; there was a total absence of all human creatures besides themselves; and, almost of every object of animated nature.

It was not till the 20th of July, that the disruption of the ice allowed the ships to remove from their winter-quarters, and enabled them to stretch across towards the western shore of Prince Regent's Inlet, where, after some slight obstruction, they succeeded in making favourable progress along the land. This however did not continue long; the ice was perceived to approach the land, till at length it reached the ships and drove them both on shore, and the Fury was found to be so very seriously damaged as to make it impossible for her to proceed farther without repairs, and probably without, as captain Parry calls it, "the ruinous necessity" of heaving the ship down.

There being no harbour, it was necessary to form a sort of basin by means of the ice for the performance of this operation; the process was tedious and laborious, and various impediments occurred



from the movement and pressure of the ice. They succeeded, however, after immense exertions, in heaving the *Fury* down: but this had scarcely been accomplished when a gale of wind destroyed the securities of the basin, which rendered it necessary to tow the *Fury* out, to re-equip the *Hecla*, and for the latter to stand out to sea. The *Fury* was once more driven on shore, and it now appeared on a close examination, that it was hopeless, circumstanced as they were, to make her sea-worthy,—and that it was therefore necessary to abandon her. The incessant labour which every one underwent, upon this disastrous occasion, had a curious effect on the mind. “The officers and men,” says captain Parry, “were now literally so harassed and fatigued, as to be scarcely capable of further exertion without some rest; and on this and one or two other occasions, I noticed more than a single in-

stance of stupor amounting to a certain degree of failure in intellect, rendering the individual so affected quite unable at first to comprehend the meaning of an order, though still as willing as ever to obey it.”

Whatever expectations captain Parry might have rested on the result of heaving down and repairing the *Fury*, these were now at an end. “With a twelvemonth’s provisions for both ships’ companies (says the captain), it would have been folly to hope for final success, considering the small progress we had already made, the uncertain nature of this navigation, and the advanced period of the present season. . . . I was therefore,” he adds, “reduced to the only remaining conclusion, that it was my duty, under all the circumstances of the case, to return to England, in compliance with the plain tenor of my instructions.”

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*Account of the Voyage of CAPTAIN WEDDELL into the Antarctic Seas.*

The object of this voyage was to procure cargoes of the fur-bearing seal-skins on the Sandwich Land, which was considered to be the projecting cape of a southern continent, stretching from it east and west, behind the recently recovered islands of Gerritz, which have assumed the new name of South Shetland.

The two vessels employed on this voyage were, the brig *Jane*, of 160 tons, commanded by captain Weddell, and the cutter *Beaufoy* of 65 tons, by Mr. Brisbane, the former having a crew of twenty-two officers and men, and the latter of thirteen, both ships fitted out in the ordinary way, and pro-

visioned for two years. Mr. Weddell made the best of his way to the South Orkneys, a group of islands which he had discovered the year before, lying to the eastward of the South Shetlands, than which they were represented as being more rugged, peaked and terrific in their appearance. Here they captured a few large sea-leopards, a new species of *phoca*, which professor Jamieson, from its spotted skin, has named the leopardine seal.

Finding no appearance of a continent, Mr. Weddell determined to continue standing to the southward. “I accordingly,” says he, “informed Mr. Brisbane of my in-



tention, and he, with a boldness which greatly enhanced the respect I bore him, expressed his willingness to push our research in that direction, though we had been hitherto so unsuccessful."

Proceeding, therefore, to the southward, in about the latitude  $65^{\circ}$ , they thought they had discovered land, which showed itself in the shape of a black rock; but, on a nearer approach, it proved to be only an ice-island, covered on one of its sides with black earth. Their disappointment, however, was somewhat soothed by the consideration that it must have disengaged itself from some high land possessing a considerable quantity of soil, and the possibility that this land might not be far distant. From this place, however, till their arrival in latitude  $69^{\circ}$ , detached islands of ice were constantly occurring, so numerous indeed, about the latter point, as almost to impede and prevent their passing further. "Sixty-six," says captain Weddell, "were counted around us; and for about fifty miles to the south, we had seldom fewer in sight."

Arrived at  $70^{\circ} 26'$  S., the wind became moderate, the sea tolerably smooth, the weather pleasant, and the ice-islands had almost disappeared. Unfortunately the two thermometers had been broken, and the temperature from this time

could not be ascertained, but we are told it was fully as mild as in the latitude  $61^{\circ}$ , in the month of December ( $34^{\circ}$  to  $36^{\circ}$ ) and they were now near the parallel of  $73^{\circ}$ . The sea was literally covered with birds of the blue peterel kind, but nothing like land nor any indication of land appeared. The weather continued mild and serene, and "not a particle of ice of any description was to be seen;" and this absence of ice continued till the 20th of February, when in latitude  $74^{\circ} 15'$ , longitude  $34^{\circ} 17'$ , three ice-islands were in sight from the deck, and one more from the mast-head.

Having attained this high latitude, which is three degrees and five minutes farther south than captain Cook, or any preceding navigator had reached; and the wind blowing fresh from the south, the season too fast advancing, captain Weddell deemed it prudent to return.

"I would willingly (says he) have explored the S. W. quarter, but taking into consideration the lateness of the season, and that we had to pass homewards through one thousand miles of sea strewn with ice-islands, with long nights, and probably attended with fogs, I could not determine otherwise than to take advantage of this favourable wind for returning."

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#### CAPTAIN PARRY'S NEW EXPEDITION.

A new expedition is projected for captain Parry. It has for its object to reach the Northern Pole; to make known to us what the inmost point of the ice-bound Arctic circle is. Captain Franklin had offered to undertake a journey over

the ice from Spitzbergen to the Pole, and this plan had been adopted by captain Parry, who, in addition to his own ardent expectations of success, procured the sanction of the Royal Society to the practicability of the enterprise. The Hecla



is to be prepared for captain Parry early in the ensuing spring; and in that vessel he is to proceed to "Cloven Cliff," in Spitzbergen, in lat. 79 degrees 52 minutes (or about 600 miles from the pole), which he is expected to reach towards the end of May. From this point he will depart with two vessels, which are capable of being used either as boats or sledges, as water or ice is found to prevail. They are to be built of light, tough, and flexible materials, with coverings of leather and oil-cloth; the latter convertible into sails. Two officers and ten men are to be appointed to each, with provisions for ninety-two days, which, if they only travelled on the average thirteen miles per day, and met with no insurmountable obstacles, would be sufficient for their reach-

ing the long-desired pole, and returning to the Hecla at Cloven Cliff. Dogs or reindeer (the former preferable for drawing the sledges, when necessary, but the latter better for food, in case of accident or detention) are to be taken on the expedition. It is known that the summer temperature is far from being severe; there is perpetual light, with the sun continually above the horizon; and he knows, from experience, that the men on such occasions are always very healthy. During his absence, the boats of the ship are to be engaged in exploring the eastern side of Spitzbergen; and the officers and men of science in making philosophical experiments with the pendulum, on magnetism and meteorology, in natural history, &c.

#### RESULTS OF THE ARCTIC EXPEDITIONS.

Dr. Jamieson has observed, that the four Arctic Expeditions, viz. that under captain Ross, and the three under captain Parry, afford the following general facts and inferences:—1. That the regions explored abound in primitive and transition rocks; and that, although the secondary rocks occupy considerable tracts, still their extent is more limited than that of the older formations; that the alluvial deposits are not extensive; that true or modern volcanic rocks were nowhere met with; and that the only traces of tertiary strata were found in the sandstones and clays connected with the secondary traps of Baffin's Bay. 2. That the primitive and transition islands were, in all probability, at one time connected together, and formed a continuous mass with the conti-

nental parts of America; and that in the plains and hollows of this land were deposited the secondary limestones, sandstones, gypsum, and coal, and upon these again the tertiary rocks. 3. That, after the deposition of these secondary and tertiary rocks, the land appears to have been broken up, and reduced either suddenly or by degrees, or partly by sudden and violent action, and partly by the long-continued agency of the atmosphere and the ocean, into its present insular and peninsular form; and that, consequently, the secondary and tertiary formations were formerly, in those regions, more extensively distributed than they are at present. 4. That, previously to the deposition of the coal formation, as that of Melville island, the transition and primitive hills and plains sup-



ported a rich and luxuriant vegetation, principally of cryptogamous plants, especially tree ferns, the prototypes of which are now met with only in the tropical regions of the earth. The fossil corals of the secondary limestones also intimate that, before, during, and after, the deposition of the coal formation, the waters of the ocean were so constituted as to support polyparia, closely resembling those of the present equatorial seas. 5. That previously to and during the deposition of the tertiary strata, these now frozen regions supported forests of dicotyledonous trees, as is shown by the fossil dicotyledonous woods met with in connexion with these strata, in Baffin's Bay, and by the fossil wood of Melville island, Cape York, and Byam Martin island. 6. That the boulders or rolled blocks met with in different quarters, and in tracts distant from their original localities, afford evidence of the passage of water across them, and at a period subsequent to the deposition of the newest solid strata, namely, those of the tertiary class. 7. That nowhere are there any discoverable traces of the agency of modern volcanoes; and we may add, that in the Arctic regions the only known appearances of this kind are those in Jan Mayen's island described by Scoresby. 8. That the only intimations of older volcanic action are those afforded by the presence of secondary trap rocks, such as basalt, greenstone, trap-tufa, and amygdaloid. 9. That the black bituminous coal, the coal of the oldest coal formation, which some speculators maintained to be confined to the more temperate and warmer regions of the earth, is now proved, by its discovery in Melville island, far to the west, and in Jameson's land, far to the

east, in Old Greenland, to form an interesting and important feature in the geognostical constitution of Arctic countries. 10. That the red sandstone of Possession Bay, &c., renders it probable that rock-salt may occur in that quarter. 11. That although no new metaliferous compounds have occurred to gratify the curiosity of the mineralogist, yet the regions explored by captain Parry have afforded various interesting and highly useful ores—such as octahedral or magnetic iron ore, rhomboidal or red iron ore, prismatic or brown iron ore, and prismatic chrome ore or chromate of iron; also the common ore of copper, or copper pyrites; molybdæna glance, or sulphurate of molybdæna; ore of titanium; and that interesting and valuable mineral, graphite or black lead. 12. That the gems, the most valued and most beautiful of mineral substances, are not wanting in the Arctic Regions visited by the expeditions, is proved by the great abundance of the precious garnet, which we doubt not will be found, on more particular examination of the primitive rocks, to present all the beautiful colours and elegant forms for which it is so much admired. Rock-crystal, another of the gems, was met with; and also beryl and zircon. 13. That these newly-discovered lands exhibit the same general geognostical arrangements as occur in all other extensive tracts of country hitherto examined by the naturalist; a fact which strengthens that opinion which maintains that the grand features of nature, in the mineral kingdom, are every where similar, and, consequently, that the same general agencies must have prevailed generally during the formation of the solid mass of the earth.



## P A T E N T S.

J. M'Curdy, of Cecil-street, Strand, London; for improvements in generating steam.—December 27, 1825.

J. Ogston and J. T. Bell, of Davies-street, Berkeley-square, London; for improvements in the construction or manufacture of watches of different descriptions. Communicated by a foreigner.—January 6, 1826.

R. Evans, of Bread-street and Queen-street, Cheapside; for improvements in the apparatus for, and process of, distillation.—January 7.

H. Houldsworth, the younger, of Manchester, for improvements in machinery for giving the taking-up or winding-on motion to spools or bobbins and tubes, or other instruments, on which the roving or thread is roving, in spinning and twisting machines.—January 16.

B. Newmarch, of Cheltenham, for an improved method of exploding fire-arms.—January 16.

J. Rothwell, of Manchester; for improved heald or harness for weaving purposes.—January 16.

H. A. Koymans, of Warnford-court, London; for improvements in the construction and use of apparatus and works for inland navigation. Communicated by a foreigner.—January 16.

J. F. Smith, of Chesterfield; for an improvement in the process of drawing, roving, spinning, and doubling, wool, cotton, and other fibrous substances.—January 19.

W. Whitfield, of Birmingham; for improvements in making or manufacturing handles for saucepans, kettles, and other culinary vessels, and also tea-kettle handle straps and other articles.—January 19.

B. Cook, of Birmingham, brass-founder; for improvements in making or constructing hinges of various descriptions.—January 19.

A. R. Leorent, of Gottenburg, at present residing in King-street, Cheapside, London; for a method of applying steam, without pressure, to pans, boilers, coppers, stills, pipes, and machinery, in order to produce, transmit, and regulate various temperatures of heat in theseveral processes of boiling, distill-

ing, evaporating, inspissating, drying, and warming, and also to produce power.—January 19.

Sir R. Seppings, knight, of Somerset House; for an improved construction of such masts and bow-sprits, as are generally known by the name of made masts and made bow-sprits.—January 19.

R. Stephenson, of Bridge Town, Warwickshire; for axletrees to remedy the extra friction on curves to waggons, carts, cars, and carriages used or to be used on rail roads, tramways, and other public roads.—January 23.

R. Rigg, of Bowstead Hill, Cumberland, for a new condensing apparatus to be used with or applied to the apparatus now in use for making vinegar.—February 4.

J. C. Gamble, of Dublin; for an apparatus for the concentration and crystallization of aluminous and other saline and crystallizable solutions, part of which apparatus may be applied to the general purposes of evaporation, distillation, inspissation, and desiccation, and especially to the generation of steam.—February 7.

W. Mayhew, of Union-street, Southwark, and W. White, of Cheapside; for an improvement in the manufacture of hats.—February 7.

H. Evans, Holyhead, North Wales; for a method or methods of rendering ships and other vessels, whether sailing or propelled by steam, more safe in cases of danger by leakage, bilging, or letting in water, than as at present constructed.—February 7.

W. Chapman, of Newcastle-upon-Tyne; for improved machinery for loading or unloading of ships, vessels, or craft.—February 7.

B. Cook, of Birmingham, brass-founder; for improvements in making files of various descriptions.—February 7.

W. Warren, of Crown-street, Finsbury-square, for improvements in the process of extracting from Peruvian bark, medicinal substances or properties, known by the name of quinine and cinchonine, and preparing the various



salts to which these substances may serve as a basis. Communicated by a foreigner.—February 11.

J. Higgins, of Oxford-street, London; for improvements in the construction of the masts, yards, sails, rigging of ships, and smaller vessels, and in the tackle used for working or navigating the same.—February 11.

B. Newmarch, of Cheltenham, and C. Bonner, of Gloucester, for a mechanical invention to be applied for the purpose of suspending and securing windows, gates, doors, shutters, blinds, and other apparatus.—February 18.

T. Walter, of Luton; for improvements in the manufacture of straw plat, for the purpose of making bonnets, hats, and other articles.—February 18.

C. Whitlaw, of Bayswater Terrace; for an improvement or improvements in administering medicines by the agency of steam or vapour.—February 18.

A. Buffum, late of Massachusetts; for improvements in the process of making or manufacturing and dyeing hats. Communicated partly by certain foreigners.—February 18.

J. Fraser, Houndsditch, London, engineer; for an improved method of constructing capstans and windlasses.—February 25.

B. Newmarch, Cheltenham, gentleman; for certain inventions to preserve vessels and other bodies from the dangerous effects of external or internal violence on land or water, and other improvements connected with the same.—February 25.

The same, for a preparation to be used either in solution or otherwise, for preventing decay in timber or other substances, arising from dry rot or other causes.—February 25.

J. Frazer, Houndsditch, London, engineer; for a new and improved method of distilling and rectifying spirits and strong waters.—March 4.

R. Midgley, Horsforth, near Leeds, gentleman; for a method, machinery, or apparatus, for conveying persons and goods over or across rivers or other waters; and over valleys or other places.—March 4.

G. Anderton, Chickheaton, Yorkshire, worsted spinner; for improvements in the combing or dressing of wool and waste silk.—March 4.

J. Neville, New Walk, Shad Thames, engineer; for a new and improved boiler or apparatus for generating steam

with less expenditure of fuel.—March 14.

N. H. Manicler, of Great Guilford-street, Southwark, chemist; for a new preparation of fatty substances, and the application thereof to the purposes of affording light.—March 20.

J. Billingham, of Norfolk-street, Strand; for an improvement or improvements in the construction of cooking apparatus.—April 18.

J. Rowbotham, of Great Surrey-street, Blackfriars-road; and R. Lloyd, of the Strand; for a method of preparing, forming, uniting, combining, and putting together, certain materials, substances, or things, for the purpose of being made into hats, caps, bonnets, cloaks, coats, trowsers, and for wearing apparel in general, and various other purposes.—April 18.

W. Wood, of Summer-Hill Grove, Northumberland; for an apparatus for destroying the inflammable air (which is commonly known by the name of fire-damps) in mines.—April 22.

J. Gillespie, of Grosvenor-street, Newington, Surrey; for a new spring, or combination of springs, for the purpose of forming an elastic resisting medium.—April 25.

S. Brown, of Eagle Lodge, Old Brompton; for improvements on his former patent, dated Dec. 4, 1823; for an engine or instrument for effecting a vacuum, and thus producing powers by which water may be raised, and machinery put in motion.—April 25.

F. Halliday, of Ham, Surrey; for an apparatus or machine for preventing the inconvenience arising from smoke in chimneys, which he denominates a wind guard.—April 25.

J. Williams of the Commercial-road; for improvements on ships' hearths, and apparatus for cooking by steam.—April 27.

W. Choice, of Strahan Terrace, and R. Gibson, of White Conduit Terrace, Islington; for improvements in machinery for making bricks.—April 27.

C. Kennedy, of Virginia Terrace, Great Dover-road, Surrey, for improvements in the apparatus used for cupping.—April 29.

J. Goulding, of America, but now residing in Cornhill, London; for improvements in the machines used for carding, stubbing, slivering, roving, or spinning wool, cotton, waste silk, short stapled hemp and flax, or any other fibrous materials or mixture thereof.—May 2.



A. Buffum, late of Massachusetts, America, but now residing in Jewin-street, London, and J. M'Curdy, of Cecil-street, Strand; for improvements in steam-engines.—May 6.

Sir R. Seppings, of Somerset House; for improvements in the construction of fids or apparatus for striking top-masts and top-gallant masts in ships.—May 6.

W. Fenner, of Bushell-rents, Wapping; for an improvement in machinery or apparatus for curing smoky, and cleansing foul chimneys.—May 6.

A. A. de la Court, of Great Winchester-street; for a new instrument, and improvements in well-known instruments, applicable to the organ of sight.—May 6.

J. Schaller, of Regent-street; for improvements in the construction or manufacture of clogs, pattens, or substitutes for the same.—May 6.

E. Heard, St. Leonard, Shoreditch, chemist; for a new composition to be used for the purpose of washing in sea and other water.—May 8.

L. Zachariah, jun. of Portsea, for a combination of materials to be used as fuel.—May 8.

D. Dunn, of Pentonville; for an improvement upon the screw-press used in the pressing of paper, books, tobacco, or bale goods, and in the expressing of oil, extracts, or tinctures, and for various other purposes in which great pressure is required.—May 23.

T. Hughes, of Newbury; for improvements in the method of restoring foul or smutty wheat, and rendering the same fit for use.—May 23.

F. Molyneux, of Stoke Saint Mary; for an improvement in machinery for spinning and twisting silk and wool, and for roving, spinning, and twisting flax, hemp, cotton, and other fibrous substances.—May 23.

T. P. Birt, of the Strand, for improvements on, or additions to, wheel carriages.—May 23.

J. Parker, of Knightsbridge, for improvements on, or additions to, park or other gates.—May 23.

D. P. Deurbroucq, of Leicester-square; for an apparatus adapted to cool wort or must, previous to its being set to undergo the process of fermentation, and also for the purpose of condensing the steam arising from stills during the process of distillation. Communicated by a foreigner.—May 23.

W. H. Gibbs, of Castle-court, Law-

rence-lane, and A. Dixon, of Huddersfield; for a new kind of piece goods, formed by a combination of threads of two or more colours, the manner of combining and displaying such colours in such piece goods constituting the novelty thereof.—May 23.

J. Smith, of Tiverton; for an improvement on the stocking frame, and improved method of making stockings and other goods usually made on the stocking frame.—May 23.

J. Loach, of Birmingham, for a self-acting sash-fastener, which fastening is applicable to other purposes.—May 23.

R. Slag, of Kilnhurst Forge, near Doncaster; for an improvement in the manufacture of springs, chiefly applicable to carriages.—May 23.

L. J. Marie, marquis de Combis, of Leicester-square; for improvements in the construction of rotatory steam-engines, and the apparatus connected therewith. Communicated by a foreigner.—May 23.

J. B. Fernandez, of Norfolk-street, Strand; for improvements in the construction of blinds or shades for windows, or other purposes.—May 26.

R. Mickleham, of Furnival's Inn; for improvements in engines moved by the pressure, elasticity, or expansion of steam, gas, or air, by which a great saving in fuel will be effected.—June 6.

H. R. Fanshaw, of Addle-street, London; for an improved winding machine.—June 13.

J. Ham, of Bristol; for an improved process for promoting the action of the acetic air on metallic bodies.—June 13.

T. J. Knowles, of Trinity College, Oxford; for a new manufacture of ornamental metal or metals. Communicated by a foreigner.—June 13.

T. Halahan, of Dublin; for machinery or apparatus for working ordnance.—June 22.

L. Aubrey, of Two-Waters, Herts; for an improvement in the web or wire for making paper.—July 4.

J. Poole, of Sheffield; for improvements in steam-engine boilers or steam generators; applicable also to the evaporation of other fluids.—July 4.

D. Freeman, of Wakefield; for improvements in measuring for, and making collars for horses, and other cattle.—July 4.

P. Groves, of London; for improvements in manufacturing white lead.—July 4.



R. Wornam, of Wigmore-street; for improvements on piano-fortes.—July 4.

P. Groves, of London; for improvements in making paint or pigment, for preparing and combining a substance or material with oil, turpentine, or other ingredients.—July 10.

B. Lowe, of Birmingham, for improvements in useful and ornamental dressing pins.—July 14.

J. Guy and J. Harrison, of Workington; for an improved method of preparing straw and grass to be used in the manufacture of hats and bonnets.—July 14.

J. Palmer de la Fous, of George-street, Hanover-square, and W. Little-wart, of Saint Mary Axe; for an improvement in securing or mooring ships and other floating bodies, and apparatus for performing the same.—July 14.

E. Bayliffe, of Kendall; for improvements in the machinery used for the operations of drawing, roving, and spinning, of sheep and lambs' wool.—July 14.

J. L. Higgins, of Oxford-street; for improvements in the construction of cat-blocks and fish-hooks, and in the application thereof.—July 14.

J. Barron, of Birmingham; for a combination of machinery or apparatus for feeding fire with fuel, which apparatus is applicable to other purposes.—July 24.

W. Johnston, of Caroline-street, Bedford-square; for improvements in ink-holders.—July 24.

W. Robinson, of Craven-street; for a new method of propelling vessels by steam on canals or navigable rivers, by means of a moveable apparatus attached to the stem or stern of the vessel.—July 24.

W. Parsons, of Portsmouth; for improvements in building ships or vessels, which improvements are calculated to lessen the dangerous effects of internal or external violence.—July 24.

W. Davidson, Glasgow; for processes for bleaching or whitening bees' wax, myrtle wax, and animal tallow.—August 1.

T. J. Knowlys, of Trinity College, Oxford, and W. Duesbury, of Bousal, Derbyshire, for improvements in tanning.—August 1.

Count A. E. de Rosen, of Princes-street, Cavendish-square; for a new engine for communicating power to answer the purposes of a steam-engine.

Communicated by a foreigner.—August 1.

J. B. Wilks, of Tandridge Hall, Surrey; for improvements in producing steam for steam-engines, and other purposes.—August 2.

L. W. Wright, of the Borough Road; for improvements in the construction of trucks for carriages, applicable to useful purposes.—August 2.

J. Williams, and John Doyle, mechanist, both of the Commercial-road; for an apparatus and process for separating salt from sea water, and thereby rendering it fresh and fit for use.—August 4.

E. Hazard, of North America, but now residing in Norfolk-street, Strand; for a method or methods of preparing explosive mixtures, and employing them as a moving power for machinery. Partly communicated to him by a foreigner.—August 12.

J. T. Thompson, of Long Acre; for improvements in making or manufacturing metallic tubes, whereby strength and lightness are obtained, and for applying them, with various other improvements, to the constructing of the metallic tube and other bedsteads.—August 17.

J. C. Schwieso, of Regent-street; for improvements on certain stringed musical instruments.—August 22.

T. Burstall, of Leith, and J. Hill, of Bath; for improvements in the machinery for propelling locomotive carriages.—August 22.

J. Yandall, of Surrey; for an improvement in apparatus for cooling and heating fluids.—August 24.

F. Halliday, of Ham, Surrey; for improvements in raising and forcing water.—August 25.

W. Downe, Senior, of Exeter; for improvements in water-closets.—August 25.

R. Busk, and W. K. Westley, of Leeds; for improvements in machinery for heckling or dressing, and for breaking, scutching, or clearing hemp, flax, or other fibrous substances.—August 29.

W. Day, of the Strand; for improvements in bedsteads, which improvements are also applicable to other purposes.—August 31.

T. R. Williams, of Norfolk-street, Strand, for a machine for separating burs or other substances from wool, hair, or fur.—September 18.



The same; for an improved method of manufacturing hats and caps, with the assistance of machinery.—September 18.

J. Riste, of Chard, Somersetshire, lace-manufacturer; for improvements in machinery for making net commonly called bobbin or twist net.—October 4.

F. Halliday, of Ham, Surrey; for improvements in apparatus used in drawing boots on and off.—October 4.

T. Jones, of Coleman-street, London; for an improvement in wheels for carriages.—October 11.

W. Mills of Bisley, Gloucestershire; for an improvement in fire-arms.—October 18.

W. Church, of Birmingham; for improvements in printing.—October 18.

S. Pratt, of New Bond-street; for improvements in beds, bedsteads, couches, seats, and other articles of furniture.—October 18.

W. Busk, of Broad-street; for improvements in propelling boats and ships, or other vessels, or floating bodies.—October 18.

J. Viney, of Shanklin, Isle of Wight, Colonel in the Royal Artillery, and G. Pocock, of Bristol; for improvements in the construction of cars or other carriages, and the application of a power hitherto unused for that purpose, to draw the same, which power is applicable to the drawing of ships and other vessels, and for raising weights, and for other useful purposes.—October 18.

B. Newmarch, of Cheltenham; for improvements in fire-arms.—November 7.

E. Thomason, of Birmingham; for improvements in the construction of medals, tokens, and coins.—November 9.

H. C. Laey, of Manchester; for an apparatus on which to suspend carriage bodies.—November 18.

B. Woodcroft, of Manchester; for improvements in wheels and paddles for propelling boats and vessels.—November 18.

T. Machett, of Berners-street; for improvements in apparatus applicable to the burning of oil and other inflammable substances.—December 1.

R. Dickinson, of Southwark; for the formation, coating, and covering of vessels or packages for containing, preserving, conveying, and transporting goods and products, whether in liquid or solid forms, and for other useful

purposes. Communicated to him by a foreigner.—December 8.

C. Pearson, the younger, of Greenwich, R. Witty, of Stanley, and W. Gillman, of Whitechapel; for a new or improved method or methods of applying heat to certain useful purposes.—December 13.

C. Harsleben, of Great Ormond-street; for machinery for facilitating the working of mines, and the extraction of diamonds, and other precious stones, gold, silver, and other metals, from the ore, the earth, or the sand, which machinery is likewise applicable to other purposes.—December 13.

J. Costigin, of Colton, Ireland; for improvements in steam machinery or apparatus.—December 13.

P. Mackay, of Great Union-street, Borough; for improvements, by which the names of streets and other inscriptions will be rendered more durable and conspicuous. Communicated by a foreigner.—December 13.

W. Johnson, of Droitwich; for improvements in the mode of process and form of apparatus for the manufacturing of salt, and other purposes.—December 18.

Maurice de Tongh, of Warrington; for improvements in machinery, or apparatus for preparing rovings, and for spinning, twisting, and winding fibrous substances.—December 18.

C. Harsleben, of Great Ormond-street; for improvements in constructing or building of ships and other vessels, applicable to various useful purposes; and in machinery for propelling the same.—December 20.

T. Quarrill, of Peter's Hill, Doctors' Commons; for improvements in the manufacture of lamps.—December 20.

W. Kingston, Portsmouth, and G. Stebbing, of Portsmouth; for improvements in instruments, or apparatus for the more readily or certainly ascertaining the trim and stability of ships or other vessels.—December 20.

M. Wilson, of Warnford-court, London; for improvements in machinery for cleaning rice. Communicated by a foreigner.—December 20.

C. Seidler, of Crawford-street, Portman-square; for a method of drawing water out of mines, wells, pits, and other places. Communicated by a foreigner.—December 20.

F. Andrews, of Stanford Rivers, Essex; for improvements in the construc-



tion of carriages, and in the engines or machinery to propel the same, to be operated upon by steam or other suitable power; which engines or machinery are also applicable to other purposes.—December 20.

C. Random Baron de Berenger, of Kentish Town, for improvements in gunpowder flasks, powder-horns, or other utensils of different shapes, such as are used or can be used for the pur-

pose of carrying gunpowder therein, in order to load therefrom guns, pistols, blunderbusses, and other fire-arms.—December 20.

J. G. Hancock, of Birmingham; for a new elastic rod for umbrellas, and other the like purposes.—December 21.

V. Bartholomew, of Great Marlborough-street; for an improvement in shades for lamps and other lights.—December 21.



# P O E T R Y.

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## FIELD FLOWERS.

*By T. CAMPBELL.*

YE field flowers ! the gardens eclipse you, 'tis true,  
 Yet, wildings of Nature, I doat upon you,  
     For ye waft me to summers of old,  
 When the earth teem'd around me with fairy delight,  
 And when daisies and buttercups gladden'd my sight,  
     Like treasures of silver and gold.

I love you for lulling me back into dreams  
 Of the blue Highland mountains and echoing streams,  
     And of broken glades breathing their balm,  
 While the deer was seen glancing in sunshine remote,  
 And the deep mellow crush of the wood-pigeon's note  
     Made music that sweeten'd the calm.

Not a pastoral song has a pleasanter tune  
 Than ye speak to my heart, little wildings of June :  
     Of old ruinous castles ye tell,  
 Where I thought it delightful your beauties to find,  
 When the magic of Nature first breath'd on my mind,  
     And your blossoms were part of her spell.

Ev'n now what affections the violet awakes ;  
 What lov'd little islands, twice seen in their lakes,  
     Can the wild water-lily restore ;  
 What landscapes I read in the primrose's looks,  
 And what pictures of pebbl'd and minnowy brooks  
     In the vetches that tangled their shore.

Earth's cultureless buds, to my heart ye were dear,  
 Ere the fever of passion, or ague of fear  
     Had scathed my existence's bloom ;  
 Once I welcome you more, in life's passionless stage,  
 With the visions of youth to revisit my age,  
     And I wish you to grow on my tomb.



## SIGNS OF RAIN.

*(Written as an excuse for not accepting the invitation of a friend to make an excursion with him.)*

BY THE LATE DR. JENNER.

1. THE hollow winds begin to blow,
- 2, 3. The clouds look black, the glass is low;
- 4, 5. The soot falls down, the spaniels sleep,
6. And spiders from their cobwebs peep.
7. Last night the Sun went pale to bed,
8. The Moon in halos hid her head;
9. The boding shepherd heaves a sigh,  
For, see, a rainbow spans the sky.
10. 11. The walls are damp, the ditches smell,
12. Clos'd is the pink-ey'd pimpermell.
13. Hark! how the chairs and tables crack,
14. Old Betty's joints are on the rack;
- 15, 16. Loud quack the ducks, the peacocks cry;
17. The distant hills are looking nigh.
18. How restless are the snorting swine,
19. The busy flies disturb the kine;
20. Low o'er the grass the swallow wings;
21. The cricket too, how sharp he sings:
22. Puss on the hearth, with velvet paws,  
Sits, wiping o'er her whisker'd jaws.
23. Through the clear stream the fishes rise,  
And nimbly catch th' incautious flies;
24. The glow-worms, numerous and bright,  
Illum'd the dewy dell last night.
25. At dusk the squalid toad was seen,  
Hopping and crawling o'er the green;
26. The whirling wind the dust obeys,  
And in the rapid eddy plays;
27. The fog has chang'd his yellow vest,  
And in a russet coat is drest.
28. Though, June the air is cold and still;
29. The mellow blackbird's voice is, shrill.
30. My dog, so alter'd in his taste,  
Quits mutton-bones, on grass to feast;
31. And see yon rooks how odd their flight,  
They imitate the gliding kite,  
And seem precipitate to fall—  
As if they felt the piercing ball.  
'Twill surely rain, I see, with sorrow;  
Our jaunt must be put off to-morrow.



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[N. B. The figures with crotchets refer to the History; those with a \* to the Appendix to Chronicle, &c.; and the others to the Chronicle.]

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